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JOURNAL

OF

THE SENATE

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA

FIRST
SESSION 1977

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OFFICERS AND MEMBERS
OF
THE SENATE OF NORTH CAROLINA
1977 GENERAL ASSEMBLY
FIRST SESSION 1977

JAMES C. GREEN, President ..... Clarkton
JOHN T. HENLEY, President Pro Tempore ..... Hope Mills
KENNETH C. ROYALL, JR., Assistant Majority Leader ..... Durham
SYLVIA M. FINK, Principal Clerk ..... Raleigh
LeROY CLARK, JR., Reading Clerk ..... Wendell
H. VINSON BRIDGERS, JR., Sergeant-at-Arms ..... Roanoke Rapids

DISTRICT	NAME OF SENATOR	ADDRESS
1	MELVIN R. DANIELS, JR.	Elizabeth City
	J. J. HARRINGTON	Lewiston
2	D. LIVINGSTONE STALLINGS	New Bern
3	JERRY POPKIN	Jacksonville
4	WILLIAM G. SMITH	Wilmington
5	HAROLD W. HARDISON	Deep Run
6	JULIAN R. ALLSBROOK	Roanoke Rapids
	VERNON E. WHITE	Winterville
7	DALLAS ALFORD	Rocky Mount
	JAMES D. SPEED	Louisburg
8	HENSON P. BARNES	Goldsboro
9	EDWARD RENFROW	Smithfield
10	JOHN T. HENLEY	Hope Mills
	JOE B. RAYNOR	Fayetteville
11	R. C. SOLES, JR.	Tabor City
12	LUTHER J. BRITT, JR.	Lumberton
13	KENNETH C. ROYALL, JR.	Durham
	WILLIS P. WHICHARD	Durham
14	I. BEVERLY LAKE, JR.	Raleigh
	JOHN W. WINTERS	Raleigh
	ROBERT W. WYNNE	Raleigh
15	GEORGE W. MARION, JR.	Dobson
	WESLEY D. WEBSTER	Madison
16	CHARLES E. VICKERY	Chapel Hill
	RUSSELL WALKER	Asheboro
17	JAMES B. GARRISON	Albemarle
	ROBERT B. JORDAN III	Mount Gilead
18	RALPH H. SCOTT	Haw River
19	RACHEL G. GRAY	High Point
	KATHERINE H. SEBO	Greensboro
	McNEILL SMITH	Greensboro
20	E. LAWRENCE DAVIS	Winston-Salem
	CARL D. TOTHEROW	Winston-Salem
21	JACK CHILDERS	Lexington
	ROBERT VANCE SOMERS	Salisbury
22	FRED D. ALEXANDER	Charlotte
	CRAIG LAWING	Charlotte
	CAROLYN MATHIS	Charlotte
	JIM McDUFFIE	Charlotte
23	T. CASS BALLENGER	Hickory
	BOBBY LEE COMBS	Hickory
24	DONALD R. KINCAID	Lenoir
	ROGER SHARPE	Morganton
25	OLLIE HARRIS	Kings Mountain
	HELEN RHYNE MARVIN	Gastonia
	MARSHALL A. RAUCH	Gastonia
26	I. C. CRAWFORD	Asheville
	ROBERT S. SWAIN	Asheville
27	CECIL HILL	Brevard
	JOE H. PALMER	Clyde

SENATE JOURNAL
FIRST SESSION 1977

FIRST DAY

SENATE CHAMBER,
Wednesday, January 12, 1977.

In accordance with law, as set forth in the Constitution of the State of North Carolina and G. S. 120-11.1, at the hour of 12 M., the Senate of the General Assembly of North Carolina assembles this day in the Senate Chamber of the Legislative Building in the City of Raleigh.

The Honorable James C. Green, Lieutenant Governor, calls the Senate to order.

Prayer is offered by the Reverend William E. Link, Pastor of Clarkton Presbyterian Church, Clarkton, North Carolina, as follows:

"Almighty God, Thou who hast made all things in good order and placed man in the midst of it all to have dominion, we praise Thy name and acknowledge before all that Thou art the one true God.

"We thank Thee for Thy continued concern for Thy creation. We realize that Thou art a very real part of government of nations and states. We thank Thee that Thou dost set aside certain persons to rule and to govern others, and Thou hast chosen those gathered here today.

"Lord, give them grace and wisdom to undertake their responsibilities, strengthening them in their weaknesses, opening their minds and hearts to greater understanding of needs, giving them love and compassion, and guiding them that they may truly lead to greater service. Bestow upon them Thy blessing.

"Particularly do we pray for him who will preside over this select Body. May he constantly seek Thy guidance, realizing Thy presence always. Grant unto him patience to wait, the humility to serve, the courage of his convictions, and the wisdom to know that as he serves so shall he be a true leader.

"Let there be a unity of purpose here to serve those who have put their trust in them.

"God, as we have begun with Thee so enable us to continue to seek Thee, we pray in Jesus' name. Amen."

The roll of the Senate is called and the following Senators appear with the proper certificates of election:

First District	J. J. Harrington
	Melvin R. Daniels, Jr.

Second District	D. Livingstone Stallings
Third District	Jerry Popkin
Fourth District	William G. Smith
Fifth District	Harold W. Hardison
Sixth District	Julian R. Allsbrook Vernon E. White
Seventh District	James D. Speed Dallas Alford
Eighth District	Henson P. Barnes
Ninth District	Edward Renfrow
Tenth District	John T. Henley Joe B. Raynor
Eleventh District	R. C. Soles, Jr.
Twelfth District	Luther J. Britt, Jr.
Thirteenth District	Kenneth C. Royall, Jr. Willis P. Whichard
Fourteenth District	I. Beverly Lake, Jr. John W. Winters Robert W. Wynne
Fifteenth District	Wesley D. Webster George W. Marion, Jr.
Sixteenth District	Charles E. Vickery Russell Walker
Seventeenth District	Robert B. Jordan III James B. Garrison
Eighteenth District	Ralph H. Scott
Nineteenth District	Rachel G. Gray Katherine H. Sebo McNeill Smith
Twentieth District	E. Lawrence Davis Carl D. Totherow
Twenty-first District	Jack Childers Robert Vance Somers
Twenty-second District	Fred D. Alexander Craig Lawing Jim McDuffie Carolyn Mathis

Twenty-third District	Bobby Lee Combs T. Cass Ballenger
Twenty-fourth District	Roger Sharpe Donald R. Kincaid
Twenty-fifth District	Ollie Harris Helen Rhyne Marvin Marshall A. Rauch
Twenty-sixth District	I. C. Crawford Robert S. Swain
Twenty-seventh District	Joe H. Palmer Cecil Hill

Those present take and subscribe to the following oath of office, which is administered by the Honorable I. Beverly Lake, Associate Justice of the Supreme Court of North Carolina:

"I do solemnly swear or affirm that I will support and maintain the Constitution and laws of the United States; and I do solemnly and sincerely swear or affirm that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain, and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and I do solemnly and sincerely swear or affirm that I will faithfully discharge my duties as a member of the Senate of the 1977 General Assembly of the State of North Carolina to the best of my skill and ability, according to law, so help me, God."

To which oath each Senator answers, "I do."

The President declares that a quorum of the Senate is present.

The President asks Senator Henley to preside and requests permission to approach the Well of the Senate. Permission being granted, the Honorable James C. Green, Lieutenant Governor, addresses the Senate as follows:

"Members of the Judiciary — members of the Council of State — members of the North Carolina State Senate — and distinguished guests:

"I wish to thank the citizens of North Carolina for the opportunity afforded me in serving as Lieutenant Governor during the next four years — and I look forward to working with Governor Hunt and Speaker Stewart and the members of The North Carolina General Assembly and the members of the Executive Branch of government as we seek to make North Carolina a greater place in which to work and live.

"We have a great opportunity — and I will do my very best to measure up to the confidence that has been entrusted in me by our citizens.

"I am certain that this General Assembly will seek to adopt legislation that will contribute to the well-being and progress of the people of North Carolina.

"As we go about our duties there is one matter that I must emphasize — during my lengthy campaign for Lieutenant Governor I heard the citizens of North Carolina say time and time again — we do not want any increased taxation — we want government to operate within the level of existing resources — we want our state government to exercise the same discipline in adopting the state budget that we, the people, have to exercise in our personal lives and in our business lives.

"In response to my own philosophy — and in response to what I believe is the overwhelming will of the people of North Carolina, it is my strong desire that this General Assembly operate within existing resources and not increase in any amount the total tax burden on our people.

"As we go about the business of the 1977 Session of the General Assembly, all of us must have the courage, in presenting programs to the Legislature and to the people, to distinguish between what is necessary and what is merely desirable — we must be willing to establish priorities — we must be willing to set goals — and we must examine every proposal carefully and independently.

"One of the new ways that will help the Senate examine programs is the Ways and Means Committee — and as you learn more about the important function of this Committee I am sure you will reach the same conclusion.

"Another innovation that needs to be considered in North Carolina is sunset legislation — in which every few years spending legislation will automatically expire unless the program is re-examined and re-adopted by the General Assembly.

"It is my belief that those states which have adopted sunset legislation are well pleased — and it is my belief that President 'Jimmy' Carter will probably recommend a similar approach to the United States Congress.

"We are serving at a time of economic uncertainty — and we should not lose sight of the fact that the State of North Carolina cannot serve our citizens if it becomes weak financially.

"We must be careful to avoid any temptation of deficit financing; we must strictly adhere to the balanced-budget concept.

"During the days ahead there will be many important issues — these include capital punishment — the Equal Rights Amendment — reorganization of departments of the Executive Branch — possible alcoholic beverage control law changes — possible constitutional amendments — the continuing need for our children — our concern over the corrections system — and many, many others.

"Many of these issues will be developed and presented by Governor 'Jim' Hunt — and many others will originate from the research of the General Assembly.

"I am personally looking forward to working with every member of the North Carolina State Senate in the hope and belief that we can truly make North Carolina a better place in which to work and live.

"The door of the Lieutenant Governor is open to every member of the Senate and to every citizen of North Carolina.

"North Carolina wants good government — North Carolina deserves good government — and I am confident that together we can give North Carolina good government.

"Thank you."

The President resumes the Chair and announces the Senate is ready to proceed with the election of officers.

ELECTION OF OFFICERS

For President Pro Tempore of the Senate, Senator Britt places in nomination Senator John T. Henley of Cumberland County. Senators Scott, Kincaid, and Raynor second the nomination.

On motion of Senator Hardison, the nominations are closed; Senator John T. Henley is elected President Pro Tempore by acclamation and is declared duly elected.

The President appoints Senators Allsbrook and Crawford to escort the President Pro Tempore, Senator Henley, to the Well of the Senate where he is administered the prescribed oath of office by the Honorable J. William Copeland, Associate Justice of the Supreme Court of North Carolina.

For Assistant Majority Leader of the Senate, Senator Rauch places in nomination Senator Kenneth Claiborne Royall, Jr. of Durham County. Senators Alford and Whichard second the nomination.

On motion of Senator Rauch, the nominations are closed; Senator Kenneth Claiborne Royall, Jr. is elected Assistant Majority Leader by acclamation and is declared duly elected.

The President appoints Senators Harrington and Garrison to escort the Assistant Majority Leader, Senator Royall, to the Well of the Senate where he is administered the prescribed oath of office by the Honorable Joseph Branch, Associate Justice of the Supreme Court of North Carolina.

For Principal Clerk of the Senate, Senator Henley places in nomination Sylvia Morris Fink of Wake County. Senator Harris seconds the nomination.

On motion of Senator Harris, the nominations are closed; Sylvia Morris Fink is elected Principal Clerk by acclamation. Being declared duly

elected, she takes the prescribed oath of office which is administered by the Honorable Dan K. Moore, Associate Justice of the Supreme Court of North Carolina.

For Reading Clerk of the Senate, Senator Winters places in nomination LeRoy Clark, Jr. of Wake County. Senators Lake and Wynne second the nomination.

On motion of Senator Wynne, the nominations are closed; LeRoy Clark, Jr. is elected Reading Clerk by acclamation. Being declared duly elected, he takes the prescribed oath of office which is administered by the Honorable J. Frank Huskins, Associate Justice of the Supreme Court of North Carolina.

For Sergeant-at-Arms of the Senate, Senator Allsbrook places in nomination Vinson Bridgers, Jr. of Edgecombe County. Senator Whichard seconds the nomination.

On motion of Senator Whichard, the nominations are closed; Vinson Bridgers, Jr. is elected Sergeant-at-Arms by acclamation. Being declared duly elected, he takes the prescribed oath of office which is administered by the Honorable Joseph Branch, Associate Justice of the Supreme Court of North Carolina.

RULES OF THE SENATE

On motion of Senator Henley, the Rules of the 1975 Session of the General Assembly are adopted as the temporary rules of the 1977 Session with the following exceptions:

Rule 31, deleted by S. R. 969 of the 1975 Session is reinstated to read as follows:

"RULE 31. **Appointment of Committees.** — The President of the Senate, unless he has by law disqualified himself from that office, shall have the exclusive right and authority to appoint all committees, regular or select, and to appoint Committee Chairmen and Vice-Chairmen, but he may delegate said authority in any instance, as he may choose. Upon the recommendation of the Committee on Rules and Operation of the Senate, the Senate may authorize additional standing committees."

Rule 32 amended to read as follows:

"RULE 32. **List of Standing Committees.** — The standing committees shall be:

Agriculture
Alcoholic Beverage Control
Appropriations
Appropriations Committee on Education
Appropriations Committee on General Government and Transportation
Appropriations Committee on Human Resources and Corrections
Banking

Base Budget
Constitutional Amendments
Courts and Judicial Districts
Criminal Justice
Economy
Education
Election Laws
Finance
Higher Education
Human Resources
Insurance
Judiciary I
Judiciary II
Law Enforcement and Crime Control
Local Government and Regional Affairs
Manufacturing, Labor and Commerce
Natural and Economic Resources
Public Utilities and Energy
Rules and Operation of the Senate
State Government
Transportation
University Board of Governors
Veterans and Military Affairs
Ways and Means
Wildlife"

Rule 34, deleted by S. R. 969 of the 1975 Session, reinstated to read as follows:

"RULE 34. **Membership of Committees.** — Membership on standing committees shall consist of not more than 22 or less than 8 Senators, including the Chairman and Vice-Chairman who shall be designated by the President; Provided, the committee membership on the Appropriations Committee, Finance Committee, and Ways and Means Committee, shall not be limited as to membership but shall be left to the discretion of the President. No Senator shall hold membership on more than 10 standing committees unless the Committee on Rules and Operations of the Senate provides otherwise. A quorum of any committee shall consist of a majority of the committee."

APPOINTMENT OF COMMITTEES

The President announces the following committee appointments:

RULES AND OPERATION OF THE SENATE COMMITTEE: Senators Henley, Chairman; Harrington, Vice-Chairman; Allsbrook, Britt, Crawford, Davis, Garrison, Hardison, Kincaid, Lawing, Rauch, Royall, and Webster.

The President requests Senator Henley, Chairman of the Rules and Operation of the Senate Committee, to approach the podium and delivers a charge to the Committee as follows:

"Almost every large and purposeful organization in our great country has a set of formal rules governing its operation, and the Senate of North Carolina is no exception.

"An effective set of internal rules is necessary for this Body to be efficient and productive.

"Senator Henley, I charge you and your Committee with the important task of promulgating and enforcing these rules, for we cannot be successful in tackling the problems facing our State unless our own house is in order.

"I know you will be firm but just in your deliberations.

"I appreciate your willingness to assume and discharge this important work."

WAYS AND MEANS COMMITTEE: Senators Royall, Chairman; Henley, Lawing, Vice-Chairmen; Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Hill, Jordan, Kincaid, Lake, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne.

The President requests Senator Royall, Chairman of the Ways and Means Committee, to approach the podium and delivers a charge to the Committee as follows:

"The Committee on Ways and Means is an innovation in the recent history of our State. This Committee on Ways and Means will answer a need in the field of fiscal responsibility and will better enable the North Carolina Senate to carry out the responsibility of taxation and appropriation.

"Every member of the Senate will serve on this important committee and in this manner the entire State of North Carolina will be represented in the process of formulating the budget for the next fiscal year.

"There will be many bills introduced that will have far-reaching effects on taxation and spending and on appropriations and needs — and I sincerely hope that the members of the Senate will accept appointment to this Committee as a challenge to insure that the State's resources go as far as possible toward meeting all of the needs of our citizens.

"This single Ways and Means Committee will make possible a sequence of decisions and actions which will provide for the speediest, soundest, and most orderly culmination of the Senate's preparation of the budget and the allocation of resources necessary for that purpose.

"I appreciate your willingness to assume and discharge this important work."

January 12, 1977

APPROPRIATIONS COMMITTEE: Senators Hardison, Chairman; Garrison and White, Vice-Chairmen; Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Crawford, Daniels, Davis, Harrington, Harris, Henley, Jordan, Kincaid, Lake, Lawing, Marion, Mathis, McDuffie, Palmer, Rauch, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Stallings, Swain, Totherow, Vickery, Winters, and Whichard.

APPROPRIATIONS COMMITTEE ON HUMAN RESOURCES AND CORRECTIONS: Senators Crawford, Chairman; Whichard, Vice-Chairman; Alford, Harris, Sebo, Scott, Sharpe, Swain, and White.

APPROPRIATIONS COMMITTEE ON EDUCATION: Senators Renfrow, Chairman; Mathis, Vice-Chairman; Barnes, Childers, Vickery, White, and Winters.

APPROPRIATIONS COMMITTEE ON GENERAL GOVERNMENT AND TRANSPORTATION: Senators Daniels, Chairman; Totherow, Vice-Chairman; Allsbrook, Combs, Garrison, McDuffie, and Palmer.

BASE BUDGET COMMITTEE: Senators Davis, Chairman; Jordan, Kincaid, Vice-Chairmen; Ballenger, Garrison, Hardison, Harrington, Henley, Lake, Lawing, Marion, Rauch, Royall, Smith of Guilford, Stallings, and White.

The President requests Senator Hardison, Chairman of the Appropriations Committee; Senator Crawford, Chairman of the Appropriations Committee on Human Resources and Corrections; Senator Renfrow, Chairman of the Appropriations Committee on Education; Senator Daniels, Chairman of the Appropriations Committee on General Government and Transportation; and Senator Davis, Chairman of the Base Budget Committee, to approach the podium and delivers a charge to the Committees as follows:

"The duties of the Appropriations Committee are great — and every member of these Committees will work long hours in examining the numerous needs of the citizens of North Carolina.

"You will be required to conduct many public hearings and patiently listen to programs and recommendations from all of the agencies of our State and from hundreds of citizens who seek to be heard.

"When that process has ended you must continue your own research and make wise decisions regarding those programs which will be funded and those programs which cannot be fulfilled.

"At all times you must seek to eliminate waste and duplication and at the same time be sensitive to the needs of the downtrodden and underprivileged.

"As you work with the citizens of North Carolina, the agencies of government, and your counterpart committees in the House of Representatives I am certain you will always be mindful of the needs of others and during these times of uncertain economic conditions that you will make our State's resources available for the maximum good.

January 12, 1977

"I appreciate your willingness to assume and discharge this important work."

ECONOMY COMMITTEE: Senators Alford, Chairman; Scott, Vice-Chairman; Childers, Daniels, Garrison, Hardison, Harrington, Henley, Mathis, Rauch, Royall, Totherow, Webster, and White.

The President requests Senator Alford, Chairman of the Economy Committee, to approach the podium and delivers a charge to the Committee as follows:

"The purpose of the Committee on the Economy is to develop a sound understanding of those factors which affect the potential resources of our State during the next fiscal year in order that the other committees of the Senate may be better informed and better qualified to respond to current and anticipated economic problems.

"North Carolina and the nation are still facing problems of unemployment and inflation and the danger of an energy crisis is a constant reminder that we can no longer assume the abundance of resources and opportunities for our citizens. We must be dedicated to the task of wisely enacting programs that will aid in the economic life of North Carolina and that will not unreasonably and unjustly tax any segment of our society.

"A Committee on the Economy can best explore and understand these matters and work in harmony with the other committees and the members of the North Carolina State Senate.

"Finally, this Committee needs to make available its findings at regular intervals and frequently brief the entire Senate regarding its recommendations.

"I appreciate your willingness to assume and discharge this important work."

UNIVERSITY BOARD OF GOVERNORS COMMITTEE: Senators Scott, Chairman; Jordan, Vice-Chairman; Alford, Ballenger, Harrington, Henley, Swain, Webster, and Winters.

The President requests Senator Scott, Chairman of the University Board of Governors Committee, to approach the podium and delivers a charge to the Committee as follows:

"The State of North Carolina has a system of higher education, both public and private, consisting of distinguished colleges and universities.

"We are fortunate to have a Board of Governors for the University of North Carolina System that has worked diligently to attain a level of excellence.

"The Committee on University Board of Governors has the responsibility for selecting those persons who are imminently qualified to give leadership during the next few years on the Board of Governors. The men and women

who serve on this Board need to be chosen with great care. This Committee plays the important role in getting that process under way and it later assists the Senate in its final selection of those members.

"The Committee should also study the selection process that is used and make recommendations to the Senate regarding any changes that are needed.

"I appreciate your willingness to assume and discharge this important work."

The President recognizes Senator John T. Henley, President Pro Tempore, who requests permission to approach the Well of the Senate.

Permission being granted, Senator Henley addresses the membership as follows:

"Mr. Chairman and my fellow colleagues:

"To my good friend, Senator Britt, I wish to express my sincere thanks for his kind remarks. To my good friends and colleagues, Senators Raynor and Scott, I want to express my appreciation. I shall always be grateful.

"I am most honored and humbled to be elected as your President Pro Tempore of this distinguished Body. This is the second highlight of my legislative career.

"My congratulations to Senator Royall, Mrs. Fink, Roy Clarke and 'Vince' Bridgers.

"I wish to thank each of you for your confidence, and I assure you that I will, at all times, exert every effort to carry out the trust you have placed in me. My door will always be open to each of you. No matter what the issues or problems — let us always talk it out as ladies and gentlemen. We must communicate — when we cease to do this, we are not functioning as the Senate should.

"May I pledge not only to work with you in every way possible but also to work with Governor Hunt, with the President of the Senate, Lieutenant Governor 'Jimmy' Green, and all the officers and staff of the Senate. I feel the President and President Pro Tempore of the Senate, as well as the other officers and staff, should, at all times, have an open door policy with each other, I am sure this is the opinion of our President. Working together, we can best serve the citizens of North Carolina, and we must remember — this is our total responsibility. When we do this, the people will benefit — as well as our Democratic Party.

"May I state also that I will not be a part of any faction, I shall respect equally every Senator's opinion and ideas. Personalities must be set aside so that we can freely debate and discuss each and every issue. We will have differences of opinion and this is as it should be. But after action is taken, let us forget our differences and move to our next problem. We must respect those who differ from us as ladies and gentlemen.

"I shall exert every means, working with the President, to coordinate our work with the Speaker of the House and the House leadership. We have a bicameral General Assembly. Each Body must act on all legislation and we must, in the best interest of our State and its people, strive to have good relations with our colleagues in the House. This is a must and I sincerely feel that a good relationship will prevail during this session.

"Two years ago I was honored to be elected as your President Pro Tempore. We had many problems facing us such as the recession, causing a lack of revenue; inflation; and a steadily increasing cost of operating state government. We had to take drastic measures cutting expenditures almost three hundred million dollars. I am not a pessimist, but we are facing many problems during the 1970 sessions. It is my understanding that the Governor and Advisory Budget Commission received requests of almost a billion five hundred thousand dollars above what was appropriated during this biennium. We must continue to look at the base budget and to cut out undue expenditures. The people of the State are demanding responsible and efficient government. They are saying, 'Help those who cannot help themselves, but those that can should be put back to work.'

"I have faith that, with a new Democratic President and our own Governor 'Jim' Hunt, and Lieutenant Governor 'Jimmy' Green, our economic outlook will be better. We who have served during the last four years, know what difficulties existed with a Republican Governor and a Democratic General Assembly. The responsibility now is ours, and it is the responsibility of we Democrats to respond and serve the people of this great State.

"This 1977 is the year of a 'New Beginning' for North Carolina under the leadership of Governor Hunt, Lieutenant Governor Green and Speaker-elect Carl Stewart. We will work with our Governor in his efforts to prevent crime, improve our reading programs in our schools, and to involve our citizens in community activities. The Governor stated in his inaugural address that a Governor cannot govern alone. He needed the help of every citizen in his efforts to have a better state in which to live. This is true in the Legislative Branch also. We can pass all the laws that we feel will be of advantage to our people but, without the people's cooperation and each and every community working together, our efforts will not be as effective as they should.

"Again, my sincere thanks for your confidence and support. May I say that my door will always be open to you and I want your ideas and opinions to help us carry out our responsibilities. I also want your criticism when you feel that I have been wrong. We all make mistakes from time to time, but I want to be responsive to your desires and wishes. Please call upon me if I can be of help to you in any way."

A special message is ordered sent to the House of Representatives informing that Honorable Body that the Senate is organized and ready to proceed with public business.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

HOUSE OF REPRESENTATIVES,
January 12, 1977

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives is organized and is now ready to proceed with the public business and has elected the following officers:

Speaker ..... Carl J. Stewart, Jr.
Speaker Pro Tempore ..... H. Horton Rountree
Principal Clerk ..... Grace A. Collins
Sergeant-at-Arms ..... Larry P. Eagles
Reading Clerk ..... Sam J. Burrow, Jr.

Respectfully,
GRACE A. COLLINS
Principal Clerk

INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Henley:

S. J. R. 1, a joint resolution informing His Excellency, Governor James B. Hunt, Jr., that the General Assembly is organized and ready to proceed with public business and inviting the Governor to address a Joint Session of the Senate and House of Representatives at 8:00 P.M., Monday, January 17, 1977.

On motion of Senator Henley, the rules are suspended and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

By Senators Alford, Stallings, Hardison, Webster, Marion, White, Harrington, Palmer, Walker, Kincaid, Renfrow, Wynne, Sharpe, Smith of New Hanover, Jordan, Henley, Swain, Alexander, Combs, Daniels, Garrison, Crawford, Childers, Royall, Speed, Popkin, Whichard, Allsbrook, Hill, Sebo, Scott, Britt, Rauch, Lake, Harris, Barnes, and Marvin:

S. B. 2, a bill to provide that the primary election shall be held in May and to make appropriate changes in the election laws.

Referred to **Election Laws Committee.**

By Senators Totherow, Davis, and Smith of Guilford:

S. B. 3, a bill to amend Article 7 of Chapter 110 of the General Statutes, entitled "Day-Care Facilities" to provide changes in the definition of day care and to provide that the Commission shall have the power to seek injunctive relief.

Referred to **Judiciary II Committee.**

By Senators Davis, Totherow, Scott, and McDuffie:

S. B. 4, a bill to amend General Statute 105-277.1(a)(2) to increase annual income allowable under the Homestead Act exemption.

Referred to **Finance Committee.**

By Senators Davis and Totherow:

S. B. 5, a bill to amend Sections 2, 19, 20, and 26 of Chapter 388 of the 1973 Session Laws concerning the Winston-Salem Fire-Public Safety Retirement Fund Association.

Referred to **Local Government and Regional Affairs Committee.**

S. B. 6, a bill to amend Chapter 4 of the 1971 Session Laws which requires that physicians and hospitals must report certain wounds, injuries and illnesses so that it will apply to Forsyth County.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Britt:

S. B. 7, a bill to amend Chapter 388, Session Laws of 1975 to reduce the number of Commissioners of the Town of Raynham from five to three, and to stagger the terms of office.

Referred to **Local Government and Regional Affairs Committee.**

By Senators Palmer and Hill:

S. J. R. 8, a joint resolution honoring Pisgah High School, consecutive winner of the North Carolina 3-A Football Championship, Franklin High School, winner of the North Carolina 2-A Football Championship, and Robbinsville High School, winner of the North Carolina 1-A Football Championship.

Referred to **Rules and Operation of the Senate Committee.**

The following bills and resolutions are introduced:

By Senator Raynor:

S. B. 9, a bill to provide the primary elections shall be held in May and to make appropriate changes in the elections laws.

By Senator Harris:

S. B. 10, a bill to establish the day after Labor Day as the uniform date for the beginning of the fall term of the public schools throughout the State.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 12:00 M.

SECOND DAY

SENATE CHAMBER,
Thursday, January 13, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our gracious Father, we do not ask for responsibilities equal to our strength, but for strength equal to our responsibilities. We know that when we are ready to admit our human limitations, then are we ready also to receive that strength and wisdom which cometh from Thee. Enlighten our minds, quicken our imaginations, and make us worthy of the trust which has been placed in us. For Thy name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Sebo for today.

RULES OF THE SENATE

On motion of Senator Henley, temporary rules approved by the Rules and Operation of the Senate Committee on January 12, 1977 to afford filing of legislation are adopted and read as follows:

Rule 39 — Change heading of Rule 39 to read as follows;

"Rule 39. **Form and copies of bills.**"

Rule 40 — Substitute the following for existing Rule 40:

"Rule 40. **Introduction of Bills.** — (a) Every bill presented for introduction shall contain on the outside cover the title of the document and the name of the Senator or Senators presenting it. All bills shall be delivered by the primary sponsor of the document to the Office of the Senate Principal Clerk who shall receive them during regular session according to the following schedule:

Monday until 8:30 o'clock P.M.;

Tuesday, Wednesday, and Thursday until 4:00 o'clock P.M.;

Friday until 5:00 o'clock P.M.

"All bills shall be numbered when filed with the Principal Clerk and shall be presented to the Senate on the next following legislative day for the first reading and reference to committee.

"(b) Filing of bills during the interim shall be under the direction of the Rules and Operation of the Senate Committee as approved by the Senate."

Rule 43 — Substitute the following for existing Rule 43:

"Rule 43. **First Reading; reference to committee.** — All bills filed, upon presentation to the Senate, shall be read in regular order of business by their number and title which shall constitute the first reading of the bill and, unless otherwise disposed of, the President or presiding officer shall announce the referral of the document. The title and referral shall be entered on the Journal."

APPOINTMENT OF COMMITTEES

The President announces the following committee appointments:

FINANCE COMMITTEE: Senators Rauch, Chairman; Webster, Britt, Alford, Vice-Chairmen; Alexander, Gray, Hardison, Harrington, Henley, Hill, Lawing, Marvin, Popkin, Raynor, Royall, Smith of New Hanover, Soles, Somers, Speed, Walker, White, and Wynne.

The President requests Senator Rauch, Chairman of the Finance Committee, to approach the podium and delivers a charge to the Committee as follows:

"During this session you have the responsibility of considering the legislation which affects or may affect the revenue of our State. You must use the utmost diligence to ensure that our State maintains a sufficient revenue capacity to adequately fund needed services.

"The high reputation of this State for fiscal integrity must not be compromised. You are further instructed to assure that our revenue laws spread the tax burden fairly among all of our citizens.

"I appreciate your willingness to assume and discharge this important work."

ALCOHOLIC BEVERAGE CONTROL COMMITTEE: Senators Winters, Chairman; Popkin, Vice-Chairman; Combs, Gray, Lawing, Smith of New Hanover, Stallings, Swain, and Walker.

The President requests Senator Winters, Chairman of the Alcoholic Beverage Control Committee, to approach the podium and delivers a charge to the Committee as follows:

"The laws relating to use and control of alcoholic beverages are always in need of examination and study and, during this session, I am certain that the Committee on Alcoholic Beverage Control will be requested to consider numerous bills and resolutions.

"The Committee should also initiate its own study and bring to the Senate such recommendations as will better serve the needs of the citizens of North Carolina.

"During its deliberations the Committee will hear divergent views from citizens who have strong feelings at each end of the spectrum — and — the Committee has a duty to listen to all of these citizens and come up with recommendations that are in the public interest.

"I appreciate your willingness to assume and discharge this important work."

COURTS AND JUDICIAL DISTRICTS COMMITTEE: Senators Marion, Chairman; Swain, Vickery, Vice-Chairmen; Barnes, Britt, Hill, Lake, Smith of Guilford, and Somers.

The President requests Senator Marion, Chairman of the Courts and Judicial Districts Committee, to approach the podium and delivers a charge to the Committee as follows:

"North Carolina has lnog been noted for its concern over the administration of justice — and during recent years has completely revised our court system.

"The Committee on Courts and Judicial Districts will be concerned with continuing to examine our judicial system and will consider legislation on such topics as merit selection of judges, change in procedures, and other matters affecting the judiciary and the courts.

"I know that you will give your undivided attention to these matters as we seek to improve the judicial system in North Carolina.

"I appreciate your willingness to assume and discharge this important work."

INSURANCE COMMITTEE: Senators Totherow, Chairman; Walker, Vice-Chairman; Alford, Ballenger, Britt, Childers, Harris, Jordan, Kincaid, Lawing, Palmer, Soles, and Stallings.

The President requests Senator Totherow, Chairman of the Insurance Committee, to approach the podium and delivers a charge to the Committee as follows:

"The State of North Carolina regulates the insurance industry and consequently the General Assembly receives numerous bills and resolutions relating to rates, coverage, and types of insurance available to our citizens.

"A wide range of matters will come before the Committee and you will engage in long hours of service during this session.

"I appreciate your willingness to assume and discharge this important work."

LAW ENFORCEMENT AND CRIME CONTROL COMMITTEE: Senators Raynor, Chairman; Somers, Vice-Chairman; Alford, Barnes, Harrington, Harris, Marvin, Renfrow, Smith of Guilford, Smith of New Hanover, Speed, and Sharpe.

The President requests Senator Raynor, Chairman of the Law Enforcement and Crime Control Committee, to approach the podium and delivers a charge to the Committee as follows:

"There has been an increase in crime in recent years that has caused concern among the general public and among public officials.

"During this session your Committee will receive bills and resolutions for consideration that are designed to tackle this problem in one way or another.

"I hope the Committee will also conduct its own investigation and, when the session ends, will leave North Carolina better prepared to cope with these problems.

"I appreciate your willingness to assume and discharge this important work."

STATE GOVERNMENT COMMITTEE: Senators Whichard, Chairman; Lake, Vice-Chairman; Garrison, Henley, Hill, Jordan, McDuffie, Rauch, Renfrow, Royall, Stallings, and Winters.

The President requests Senator Whichard, Chairman of the State Government Committee, to approach the podium and delivers a charge to the Committee as follows:

"A few years ago the citizens of North Carolina passed a constitutional amendment to reorganize State government. There are still matters that need attention as a result of these changes that have been made in recent sessions.

"In addition you will receive bills and resolutions to shift agencies from one department to another and you will receive recommendations regarding how our State government can be more meaningful as an organization.

"We have a growing bureaucracy — and I hope that your Committee can generate some recommendations that will in some way aid the citizens of our State in this regard.

"I appreciate your willingness to assume and discharge this important work."

TRANSPORTATION COMMITTEE: Senators Harrington, Chairman; McDuffie, Vice-Chairman; Alford, Combs, Crawford, Davis, Garrison, Gray, Hardison, Henley, Palmer, Popkin, Rauch, Renfrow, Soles, and Winters.

The President requests Senator Harrington, Chairman of the Transportaiton Committee, to approach the podium and delivers a charge to the Committee as follows:

"All citizens of North Carolina have a concern about the construction, maintenance, and upgrading of our roads. There is hardly anyone within the State who doesn't travel a road of some type every day. The structure of law under which the Department of Transportation operates is the responsibility of this General Assembly. The members of your Committee come from a cross section of the State. I charge you to be receptive to innovative approaches to the needs of transportation throughout our State.

"I appreciate your willingness to assume and discharge this important work."

VETERANS AND MILITARY AFFAIRS COMMITTEE: Senators Palmer, Chairman; Popkin, Vice-Chairman; Childers, Combs, Harris, McDuffie, Raynor, and Webster.

The President requests Senator Palmer, Chairman of the Veterans and Military Affairs Committee, to approach the podium and delivers a charge to the Committee as follows:

"North Carolina is proud of the number and size of our military operations as well as the personnel and retired persons who adopt this State as their home. Senator Palmer, your Committee will be called upon to consider legislation that will affect the lives and affairs of those mentioned. The Chair has confidence in your ability to proceed fairly and promptly. Always keep in mind that those installations are a valuable resource and those people important citizens of this State.

"I appreciate your willingness to assume and discharge this important work."

ELECTION LAWS COMMITTEE: Senators McDuffie, Chairman; Harrington, Vice-Chairman; Britt, Crawford, Davis, Garrison, Kincaid, Renfrow, Scott, Speed, and Winters.

The President requests Senator McDuffie, Chairman of the Election Laws Committee, to approach the podium and delivers a charge to the Committee as follows:

"During recent years the General Assembly has changed our election-law process to provide for a Presidential Preference Primary and changed our own State Primary date from May until August.

"The Committee must re-examine these laws and consider other bills and resolutions and generally look into our election laws and our election process.

"We need to constatnly make our election process workable and available to all of our citizens and to encourage more and more participation.

"I appreciate your willingness to assume and discharge this important work."

AGRICULTURE COMMITTEE: Senators White, Chairman; Palmer, Speed, Vice-Chairmen; Barnes, Davis, Hardison, Harrington, Kincaid, Renfrow, Scott, Soles, and Whichard.

The President requests Senator White, Chairman of the Agriculture Committee, to approach the podium and delivers a charge to the Committee, as follows:

"North Carolina is an agricultural state — and our most basic natural resource is the land of North Carolina — and its capacity to produce agricultural products.

"The agricultural production of North Carolina must continue to expand — and we must produce the food and fiber to help mankind and to strengthen our economy.

"No area of legislative study is of greater importance than that pertaining to agriculture.

"The Committee needs to explore and consider all matters in the field of agriculture and to make wise recommendations for Senate action.

"I appreciate your willingness to assume and discharge this important work."

BANKING COMMITTEE: Senators Lawing, Chairman; Garrison, Vice-Chairman; Alexander, Alford, Daniels, Hardison, Hill, Popkin, Totherow, and Webster.

The President requests Senator Lawing, Chairman of the Banking Committee, to approach the podium and delivers a charge to the Committee as follows:

"Heavy obligations are always placed upon the Senate Committee on Banking. You are charged with a very sensitive and far-reaching role, and you will be dealing with legislation affecting banks and financial institutions. Both the average citizen and the financial community will be looking to you to balance interests of concern.

"Senator Lawing, I charge you and the members of your Committee to be most careful and totally fair as you consider and deliberate upon the sensitive legislation which will undoubtedly be referred to you during this session. The Chair has confidence in your ability and wishes you well in your work.

"I appreciate your willingness to assume and discharge this important work."

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Henley for the **Rules and Operation of the Senate Committee:**

S. J. R. 8, a joint resolution honoring Pisgah High School, consecutive winner of the North Carolina 3-A Football Championship, Franklin High School, winner of the North Carolina 2-A Football Championship, and Robbinsville High School, winner of the North Carolina 1-A Football Championship, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are read the first time and disposed of as follows:

By Senator Raynor:

S. B. 9, a bill to provide the primary elections shall be held in May and to make appropriate changes in the election laws.
Referred to **Election Laws Committee.**

By Senator Harris:

S. B. 10, a bill to establish the day after Labor Day as the uniform date for the beginning of the fall term of the public schools throughout the State.
Referred to **Education Committee.**

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 10:00 A.M.

THIRD DAY

SENATE CHAMBER,
Friday, January 14, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, give us this day the desire to do what is right, the wisdom to know what is right, and the humility to acknowledge that this desire and wisdom comes from Thee who made us and sustains us day by day.

"May this weekend be for each of us a time of reflection and rest, and may both our rest and our activities be carried on in our awareness of Thee. Amen."

Senator Henley for the Committee on Rules and Operation of the Senate announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Smith of Guilford for today.

The President recognizes the following pages serving in the Senate this week: Dickson Bridger, Bladenboro; Chauncey Emmitt Byers, Mooresville; Cynthia Campbell, Raleigh; Rebecca Clark, Clarkton; Blake Dickson, Raleigh; Sherri Pulley, Knightdale; Terri Pulley, Knightdale; Billie Jean Russ, Shallotte; Karen Russell, Hallsboro; Hope Saunders, Aulander; David Sloan, Raleigh; and Caroline Ward, Plymouth.

APPOINTMENT OF COMMITTEES

The President announces the following committee appointments:

JUDICIARY I COMMITTEE: Senators Allsbrook, Chairman; Barnes and Vickery, Vice-Chairmen; Lake, Mathis, Raynor, Smith of New Hanover, Somers, Swain, Totherow, and Whichard.

JUDICIARY II COMMITTEE: Senators Britt, Chairman; Hill and Soles, Vice-Chairmen; Alford, Crawford, Davis, Lawing, Marion, Sebo, Sharpe, and Smith of Guilford.

The President requests Senator Allsbrook, Chairman of Judiciary I Committee, and Senator Britt, Chairman of Judiciary II Committee, to approach the podium and delivers a charge to the Committees as follows:

"Each of you will share in an important Senate Judiciary Committee.

"These committees receive important and complicated legislation which cuts across the entire spectrum of the statutory law of our State.

"Your work and procedure will require considerable research and investigation into requested changes in criminal laws, business laws, rules of civil procedure, and all of the other matters that will come to your Committees.

"I know that you will continue the tradition of excellence and I appreciate your willingness to assume and discharge this important work."

CONSTITUTIONAL AMENDMENTS COMMITTEE: Senators Hill, Chaiman; Allsbrook, Vice-Chairman; Alexander, Britt, Crawford, Davis, Harrington, Kincaid, Lake, Lawing, Marvin, Renfrow, Sebo, and Soles.

The President requests Senator Hill, Chairman of the Constitutional Amendments Committee to approach the podium and delivers a charge to the Committee as follows:

"It has been said — we are a government of laws and not of men.

"The foundation of our laws is our constitution — and during this session there will be various bills and resolutions to make changes in our State Constitution or our national Constitution.

"I charge you that when these proposals come before your Committee, you should consider them with care and make your recommendations wisely.

"I appreciate your willingness to assume and discharge this important work."

CRIMINAL JUSTICE COMMITTEE: Senators Smith of Guilford, Chairman; Sharpe, Vice-Chairman; Alexander, Allsbrook, Britt, Davis, Harris, Marvin, Mathis, Raynor, Sebo, Smith of New Hanover, and Wynne.

In the absence of Senator Smith of Guilford, Chairman of the Criminal Justice Committee, the President delivers a charge to the Committee as follows:

"The Committee on Criminal Justice is concerned primarily with the sentencing and rehabilitation of those persons who have violated our criminal statutes.

"This Committee will assume an important responsibility along with the Committee on Law Enforcement and Crime Control.

"The Committee will receive bills and resolutions relating to changing sentencing and punishment and matters in the field of criminal justice — and the Committee should initiate its own investigation into this area.

"I appreciate your willingness to assume and discharge this important work."

EDUCATION COMMITTEE: Senators Stallings, Chairman; Sebo, Vice-Chairwoman; Britt, Childers, Gray, Marion, Marvin, Mathis, Renfrow, Scott, Sharpe, Soles, Speed, Vickery, White, and Wynne.

The President requests Senator Stallings, Chairman of the Education Committee, to approach the podium and delivers a charge to the Committee as follows:

"Education is the most important function of our government — and in the State of North Carolina there is a strong reliance on the State for resources and programs affecting every child in our school system.

"We can never become complacent about education — even though it appears that we are making adequate progress, we must continue our efforts.

"The Committee needs to consider various bills and resolutions that will be introduced, and needs to initiate its own study of the progress of our schools and the relationship between the State and county units, and to give all of the citizens an opportunity to be heard on subjects dealing with public school education.

"I appreciate your willingness to assume and discharge this important work."

HIGHER EDUCATION COMMITTEE: Senators Wynne, Chairman; Alexander, Vice-Chairman; Daniels, Jordan, Rauch, Sharpe, Smith of Guilford, Stallings, Swain, Vickery, and Winters.

The President requests Senator Wynne, Chairman of the Higher Education Committee, to approach the podium and delivers a charge to the Committee as follows:

"We are proud that, because of our superior institutions of higher learning, North Carolina has become a leader among states in the field of higher education. Large sums of money have been spent in the building and improvement of our State's universities and the people of North Carolina take great pride in their accomplishments in this area.

"This Committee must examine the programs of higher education and work in conjunction with the Committees on Appropriations. I am certain the Committee will be fair in its deliberations and I appreciate your willingness to assume and discharge this important work."

HUMAN RESOURCES COMMITTEE: Sentaors Harris, Chairman; Raynor, Vice-Chairman; Allsbrook, Barnes, Crawford, Daniels, Gray, Hardison, Henley, McDuffie, Royall, Scott, Walker, Whichard, Winters, and Wynne.

The President requests Senator Harris, Chairman of the Human Resources Committee, to approach the podium and delivers a charge to the Committee as follows:

"Within the area of human resources are all of the programs of the State concerning social servcies, mental health, public health, and the numerous matters that affect the well-being of our citizens — especially our underprivileged citizens.

"This Committee has an enormous task as it reviews these programs and makes recommendations and as it considers all of the bills and resolutions that will be introduced.

"I have confidence that the Committee will measure up to the responsibility and I appreciate your willingness to assume and discharge this important work."

LOCAL GOVERNMENT AND REGIONAL AFFAIRS COMMITTEE: Senators Soles, Chairman; Marion, Vice-Chairman; Alexander, Ballenger, Gray, Hill, Marvin, McDuffie, Stallings, Swain, Walker, and Whichard.

The President requests Senator Soles, Chairman of the Local Government and Regional Affairs Committee, to approach the podium and delivers a charge to the Committee as follows:

"During recent years local government legislation in North Carolina has been completely rewritten and the power and authority of municipal and county government substantially extended.

"Through the use of home-rule legislation and through the adoption of uniform, state-wide laws there has been a sharp decrease in the number of local bills to be considered by the General Assembly.

"It will be important for the Committee to critically examine all local bills to determine if such legislation is needed — and, more importantly, the Committee should initiate its own investigation into fields of interest to local government and bring forward recommendations for necessary changes.

"I appreciate your willingness to assume and discharge this important work."

MANUFACTURING, LABOR AND COMMERCE COMMITTEE: Senators Childers, Chairman; Rauch, Vice-Chairman; Ballenger, Jordan, Kincaid, Mathis, Popkin, Royall, Somers, and Totherow.

The President requests Senator Childers, Chairman of the Manufacturing, Labor and Commerce Committee, to approach the podium and delivers a charge to the Committee as follows:

"The business life of North Carolina is diversified — and we depend upon textiles, furniture, tobacco, and many, many other industrial activities for employment and business opportunities.

"The Committee on Manufacturing, Labor and Commerce is concerned with all of these.

"I have confidence that the Committee will study all of the bills and resolutions that come to your attention and that you will be fair and deliberate in your work.

"I appreciate your willingness to assume and discharge this important work."

NATURAL AND ECONOMIC RESOURCES COMMITTEE: Senators Speed, Chairman; Ballenger, Vice-Chairman; Combs, Daniels, Gray, Hardison, Jordan, Lake, Palmer, Royall, Sebo, Smith of New Hanover, Totherow, Walker, and Wynne.

The President requests Senator Speed, Chairman of the Natural and Economic Resources Committee, to approach the podium and delivers a charge to the Committee as follows:

"Natural and economic resources are synonymous with conservation and development. The scope of the Committee is to consider both areas of our governmental responsibility.

"The Committee will be concerned with the question of development and growth in our State and with the preservation and conservation of our natural resources.

"I am certain the Committee will be fair in its deliberations and I appreciate your willingness to assume and discharge this important work."

PUBLIC UTILITIES ENERGY COMMITTEE: Senators Webster, Chairman; Lake, Vice-Chairman; Allsbrook, Childers, Crawford, Garrison, Hardison, Lawing, Palmer, Popkin, Royall, and Walker.

The President requests Senator Webster, Chairman of the Public Utilities and Energy Committee, to approach the podium and delivers a charge to the Committee as follows:

"The citizens of North Carolina are concerned about the future availability of electricity and other forms of energy at economical rates — and they are likewise concerned about the regulation of all public utilities.

"I hope the Committee on Public Utilities and Energy will continue the investigations that are now under way and will develop recommendations for the Senate that will help answer these concerns on a long-term basis.

"It is important that you hear from all segments of government and industry and that you receive the recommendations from the consumers of North Carolina and that your final recommendations to the Senate are completely fair to all segments of our society.

"I appreciate your willingness to assume and discharge this important work."

WILDLIFE COMMITTEE: Senators Combs, Chairman; Daniels, Vice-Chairman; Kincaid, Marion, Palmer, Speed, Walker, and White.

The President requests Senator Combs, Chairman of the Wildlife Committee, to approach the podium and delivers a charge to the Committee as follows:

"This Committee is most important in that it has a current and long-lasting commitment to the well-being and care of our wildlife. It is your responsibility to see that their needs are adequately met.

"Senator Combs, I charge you and your Committee with the duty of considering legislation brought to your attention in a sensitive and appropriate manner. We in State government have an obligation to protect our wildlife for the present and for future generations.

"I appreciate your willingness to assume and discharge this important work."

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed of as follows:

January 14, 1977

By Senators McDuffie and Kincaid:

S. B. 11, a bill to amend Article 23 of Chapter 115 of the General Statutes to increase the amount payable in hospital medical treatment and funeral expenses for pupils injured on school buses, and to extend the time for filing claim.

Referred to **Education Committee.**

By Senators Harris, Rauch, Marvin, Mathis, and Kincaid:

S. B. 12, a bill to establish procedures for sentencing in capital cases and to reinstate capital punishment for certain offenses.

Referred to **Judiciary I Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. J. R. 8, a joint resolution honoring Pisgah High School, consecutive winner of the North Carolina 3-A Football Championship, Franklin High School, winner of the North Carolina 2-A Football Championship, and Robbinsville High School, winner of the North Carolina 1-A Football Championship.

Passes its second and third readings and is ordered sent to the House of Representatives.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the Office of the Secretary of State:

S. J. R. 1, a joint resolution informing His Excellency, Governor James B. Hunt, Jr., that the General Assembly is organized and ready to proceed with public business and inviting the Governor to address a Joint Session of the Senate and House of Representative at 8:00 P.M., Monday, January 17.

On motion of Senator Henley, the Senate adjourns to meet Monday at 7:30 P.M.

FOURTH DAY

SENATE CHAMBER,
Monday, January 17, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we are thankful for the constancy of the natural world in which we live — seedtime and harvest, summer and winter, sunshine and rain; and we pray that we may be constant also in our faith in Thee, in our concern for one another and in our efforts to be true to the best that is in us. For Thy name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of Friday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Allsbrook, Ballenger, and Swain for tonight and to Senators Allsbrook and Ballenger for tomorrow, January 18.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced:

By Senator Kincaid:

S. B. 13, a bill to require a speedy trial for defendants.

The President orders special messages sent to the House of Representatives informing that Honorable Body that Senator Julian R. Allsbrook, appointed to escort Governor James B. Hunt, Jr. to the Joint Session, has been replaced by Senator John T. Henley and that the Senate stands ready to repair to the Hall of the House, there to sit in Joint Session with that Honorable Body for the purpose of receiving the Governor's message pursuant to S. J. R. 1.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

HOUSE OF REPRESENTATIVES,
January 14, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that pursuant to S. J. R. 1, a joint resolution informing His Excellency, Governor James B. Hunt, Jr., that the General Assembly is organized and ready to proceed with public business and inviting the Governor to address a Joint Session of the Senate and House of Representatives at 8:00 P.M., Monday, January 17, 1977, the Speaker has appointed the following members of the House of Representatives to serve with a like

Committee of the Senate to invite, greet and escort the Governor to the Joint Session:

Representative H. Horton Rountree
Representative Robert L. Farmer
Representative Hector E. Ray

Respectfully,
GRACE A. COLLINS
Principal Clerk

On motion of Senator Henley, the Senate recesses to meet in Joint Session in the House of Representatives for the purpose of receiving the Governor's message and, upon dissolution of the Joint Session, the Senate stands adjourned to meet tomorrow at 12:30 P.M.

JOINT SESSION

The Senate is received by the members of the House of Representatives standing and the Joint Session is called to order by the Honorable James C. Green, Lieutenant Governor.

The President extends the courtesies of the floor to the Chief Justice and Associate Justices of the Supreme Court of North Carolina, to the Chief Judge and Associate Judges of the North Carolina Court of Appeals, to the Council of State, and to Mrs. James B. Hunt, Jr., wife of the Governor of North Carolina.

The President recognizes Senator Henley who presents His Excellency, Governor James B. Hunt, Jr., who delivers the State-of-the-State address. (Pursuant to S. J. R. 1, the text of the address appears in the Appendix.)

On motion of Senator Henley, the Joint Session is dissolved and pursuant to his motion heretofore made, the Senate adjourns to meet tomorrow at 12:30 P.M.

FIFTH DAY

SENATE CHAMBER,
Tuesday, January 18, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"God of the nations, by Whose hands all things were created, and by Whose power all things are sustained, we thank Thee that Thou art also our Father, available to all who call upon Thee, and ready to do for us even

more than we can ask or think. We seek the guidance of Thy divine Spirit this day and pray that all of our efforts to serve Thee may receive Thy blessing. For Thine is the kingdom, the power and the glory, forever and ever. Amen."

Senator Henley for the Rules and Operation of the Senate Committee, announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senator White for today and to Senators Renfrow, Walker, Stallings, Garrison, Jordan, Winters, Davis, Royall, and Totherow for Wednesday, Thursday, and Friday, January 19, 20, and 21; Soles for Wednesday, January 19; Hardison for Wednesday and Thursday, January 19 and 20; Wynne for Thursday, January 20; Marion, Hill, and Palmer for Thursday and Friday, January 20 and 21; Scott and Somers for Friday, January 21. Leaves of absence granted previously to Senators Allsbrook and Ballenger are noted.

The President recognizes the following pages serving in the Senate this week: Wendy Barham, Rolesville; Jimmy Crews, Oxford; Tharin Hill, Raleigh; Jonathan Jaggers, Broadway; Dale Murphy, Greensboro; Myers Perry, Louisburg; Thari Pope, Statesville; Becky Pritchard, Raleigh; Michael Pulley, Raleigh; Renee Reuter, Conover; Annette Rogers, Hope Mills; Kathy Sawyer, Powells Point; Jan Scott, Haw River; and Lynda Williams, Lillington.

Pursuant to G. S. 143A-98.1(b)(3), the President appoints Senator James B. Garrison to serve as a member of the North Carolina Board of Transportation, effective immediately for a term of two years.

Pursuant to G. S. 135-6(b)(4), the President appoints Senator Harold W. Hardison to serve as a member of the Retirement System's Board of Trustees, effective immediately for a term of two years.

Pursuant to G. S. 143-4, the President appoints Senators I. C. Crawford, Harold W. Hardison, Marshall A. Rauch, and Kenneth C. Royall, Jr. to serve as members of the Advisory Budget Commission, effective immediately for a term of two years.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed of as follows:

By Senator Kincaid:

S. B. 13, a bill to require a speedy trial for defendants.
Referred to **Judiciary I Committee.**

The following bills and resolutions are introduced:

By Senator Jordan:

S. B. 14, a bill to amend Chapter 163 of the General Statutes of North Carolina to authorize absentee ballots in county and municipal school board elections.

By Senator Somers:

S. B. 15, a bill to amend Chapter 1057 of the Session Laws of 1973 so as to make permanent the provisions of G. S. 20-7(f), regarding the elimination of road and written tests for safe drivers applying for renewal of operator's license.

By Senators Royall, Hardison, Henley, Renfrow, Daniels, Crawford, Davis, and Rauch:

S. B. 16, a bill to make appropriations for current operations of State departments, institutions, and agencies, and for other purposes.

By Senators Royall, Hardison, Henley, Renfrow, Daniels, Crawford, Davis, and Rauch:

S. B. 17, a bill to make appropriations to provide capital improvements for State departments, institutions, and agencies.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 12:00 M.

SIXTH DAY

SENATE CHAMBER,
Wednesday, January 19, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Jimmy Morriss, Director, Baptist State Convention of North Carolina, Raleigh, as follows:

"Our Father, we thank Thee for Thy goodness and mercy to the children of men. We are grateful that Thou hast brought us to this good day — a day of opportunity and responsibility. Let Thy Spirit guide us in paths of righteousness for Thy Name's sake.

"We are conscious that we do not possess the wisdom or strength to cope with the needs of the hour. Thou has promised in Thy Word that if a man desires wisdom, let Him ask of the Lord and wisdom shall be given. We are asking now, O Lord, that You impart wisdom to each member of this Body. Let Thy blessings be upon both Senate and House as they serve our great

State. We pray for guidance for those who bear the heavy responsibilities in leading our nation in the midst of a time of change. We pray that in all decisions, our leaders in government will never forget the needs of the individual.

"Grant, Our Father, that this shall be a good day for Thy people everywhere as we join hands prayerfully to make this nation of ours a better place in which to dwell. Help us, O Lord, never to betray the confidence placed in us by the citizens of our State. Help us to hear the call of the least when there is human need.

"Now, Lord, guide us this day to do Thy Will and not our own, that Thy Kingdom may come in the hearts and lives of each of us.

"Our prayer we make in the Name of Jesus Christ, our Savior and Lord. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senator Ballenger for today; Senators Lake and Whichard for tomorrow, January 20; and Senator Whichard for Friday, January 21. Leaves granted previously to Senators Allsbrook, Davis, Garrison, Hardison, Hill, Jordan, Marion, Palmer, Renfrow, Royall, Scott, Soles, Somers, Stallings, Totherow, Walker, White, Winters, and Wynne are noted.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed of as follows:

By Senators Jordan, Garrison, Whichard, and Royall:

S. B. 14, a bill to amend Chapter 163 of the General Statutes of North Carolina to authorize absentee ballots in county and municipal school board elections.

Referred to **Election Laws Committee.**

By Senator Somers:

S. B. 15, a bill to amend Chapter 1057 of the Session Laws of 1973 so as to make permanent the provisions of G. S. 20-7(f), regarding the elimination of road and written tests for safe drivers applying for renewal of operator's license.

Referred to **Judiciary II Committee.**

By Senators Royall, Hardison, Renfrow, Daniels, Crawford, Davis, Rauch, and Henley:

S. B. 16, a bill to make appropriations for current operations of state departments, institutions, and agencies, and for other purposes.

Referred to **Appropriations Committee.**

January 19, 1977

By Senators Royall, Hardison, Renfrow, Daniels, Crawford, Davis, Rauch, and Henley:

S. B. 17, a bill to make appropriations to provide capital improvements for state departments, institutions, and agencies.

Referred to **Appropriations Committee.**

The following bills and resolutions are introduced:

By Senator Gray:

S. J. R. 18, a joint resolution honoring High Point Andrews High School, winner of the North Carolina 4-A Football Championship.

By Senator Somers:

S. B. 19, a bill to increase to four percent the discount allowed to retailers for payment of sales and use tax when due.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 11:00 A.M.

SEVENTH DAY

SENATE CHAMBER,
Thursday, January 20, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Right Reverend James D. Beckwith, P ctor, Saint Michaels Episcopal Church, Raleigh, as follows:

"Almighty God, Our heavenly Father, we give Thee most humble and hearty thanks for all Thy goodness and loving kindness to our nation and our State. We are especially grateful today for the gift to us of our new President, 'Jimmy' Carter. Endue him plenteously with heavenly gifts, grant him health and prosperity, long to live, wisdom to guide our country into the ways of truth. Grant to our country the safety, honor and welfare of Thy people; that all things may be so ordered upon the vast foundation that peace and happiness, truth and justice and piety may be established among us for all generations. We also ask Thy blessing upon our State, the Governor, this Senate, and all members of the General Assembly that they may guide our State according to Thy will.

"And now, may the Lord bless us and keep us, the Lord make His face to shine upon us and be gracious unto us, the Lord lift up His Countenance upon us, and give us peace, strength and courage to do His will this day and forevermore. Amen."

Senator Britt for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

Leaves granted previously to Senators Allsbrook, Davis, Garrison, Hardison, Hill, Jordan, Lake, Marion, Palmer, Renfrow, Royall, Smith of Guilford, Stallings, Totherow, Walker, Whichard, White, Winters, and Wynne are noted.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed of as follows:

By Senator Gray:

S. J. R. 18, a joint resolution honoring High Point Andrews High School, winner of the North Carolina 4-A Football Championship.
Referred to **Rules and Operation of the Senate Committee.**

By Senator Somers:

S. B. 19, a bill to increase to four percent the discount allowed to retailers for payment of sales and use tax when due.
Referred to **Finance Committee.**

On motion of Senator Britt, the Senate adjourns to meet tomorrow at 9:30 A.M.

EIGHTH DAY

SENATE CHAMBER,
Friday, January 21, 1977.

No session.

NINTH DAY

SENATE CHAMBER,
Monday, January 24, 1977.

The Senate is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we invoke Thy blessing upon us as we gather for another week of service to our State. In the words of the old hymn, we would

acknowledge that 'We Need Thee Every Hour.' Make Thy will known to us and may this be the guiding principle of our lives. For Thy name's sake. Amen."

On motion of Senator Henley, the rules are suspended and, on his further motion, the vote by which the Senate adjourned on Thursday, January 20, is reconsidered. Senator Henley offers a motion that the Senate adjourn to reconvene on Monday, January 24, at 8:00 P.M., which motion prevails.

Pursuant to the above motion, the Senate proceeds with the regular order of business.

Senator Henley for the Committee on Rules and Operation of the Senate announces that the Journal of Thursday, January 20, has been examined and, on his motion, the reading of this Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Gray, Rauch, Walker, Whichard, Kincaid, and Ballenger for tonight and to Senator Gray for tomorrow, January 25.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 12, a bill to permit county fire marshals and civil defense directors to use warning devices and red lights.
Referred to **Judiciary II Committee.**

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced:

By Senator Stallings:

S. B. 20, a bill to amend Article 2 of Chapter 19A of the General Statutes relating to the possession of black bears, so as to provide that said Article will not apply to black bears held in captivity on or before July 1, 1975.

By Senator Allsbrook and Rauch:

S. J. R. 21, a joint resolution creating a special commission to complete the Legislative Research Commission Study of the feasibility of constructing and financing in North Carolina upon a self-supporting basis or otherwise an indoor sports facility.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 12:00 M.

TENTH DAY

SENATE CHAMBER,
Tuesday, January 25, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we know that Thou art listening even before we speak, and anxious to do for us even more than we can ask or think. We therefore come with confidence before Thee asking for Thy guidance in all the decisions we are called upon to make. We pray in the Redeemer's name. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

A leave of absence granted previously to Senator Gray is noted.

The President recognizes the following pages serving in the Senate this week: Jeff Bolick, Hickory; Stephen Clark, Clarkton; Renita Dortch, Goldsboro; Jimmy Fowler, Riegelwood; Mark Grainger, Clarkton; Joey Katzenstein, Gastonia; Beth Kelly, Mocksville; Steuart Link, Lisbon; Cathy Meggs, Elizabeth City; Susan Priest, Abbotsburg, Grace Shaw, Mt. Olive; Brinkley Sugg, New Bern; and Scott Williams, Hollister.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed of as follows:

By Senator Stallings:

S. B. 20, a bill to amend Article 2 of Chapter 19A of the General Statutes relating to the possession of black bears, so as to provide that said Article will not apply to black bears held in captivity on or before July 1, 1975.
Referred to **Wildlife Committee.**

By Senators Allsbrook and Rauch:

S. J. R. 21, a joint resolution creating a special commission to complete the Legislative Research Commission Study of the feasibility of constructing and financing in North Carolina upon a self-supporting basis or otherwise an indoor sports facility.
Referred to **Rules and Operation of the Senate Committee.**

The following bills and resolutions are introduced:

By Senator Totherow:

S. B. 22, a bill to amend Chapter 115A, Section 4 of the North Carolina General Statutes to provide regulations for in-plant training.

By Senator Britt:

S. B. 23, a bill to amend G. S. 7A-451 and 7A-288 so as to provide counsel, in the court's discretion, to indigent parties in a proceeding for the termination of parental rights.

By Senator Britt:

S. B. 24, a bill to amend G. S. 14-269.1 by deleting the authority of a judge to order the weapon turned over to a law enforcement agency for use by the agency.

By Senators Britt and Barnes:

S. B. 25, a bill to amend G. S. 1-84 to provide for removal of a civil cause to any adjacent county, any county in the same judicial district, or any county in the adjacent judicial district if the same is necessary to ensure a fair trial.

By Senator Britt:

S. B. 26, a bill to prohibit obstructing the administration of justice by picketing or parading.

By Senator Britt:

S. B. 27, a bill to amend G. S. 7A-66 relating to the removal of district attorneys so as to clarify the authority of a superior court judge to dismiss a frivolous removal petition without conducting a hearing and to expand the time in which the court has to act from 15 to 30 days.

By Senator Britt:

S. B. 28, a bill to repeal the Habitual Offender Article of the Motor Vehicles Law.

By Senator Britt:

S. B. 29, a bill to amend G. S. 15A-1002 relating to the determination of a criminal defendant's incapacity to proceed so as to protect the confidentiality of the medical report and assure the physician-patient privilege.

By Senators Winters, Wynne, Lake, Royall, and Whichard:

S. B. 30, a bill to amend the Charter of Raleigh-Durham Airport Authority to raise the rate of compensation of members.

On motion of Senator Henley, the Senate adjourns to meet Monday at 12:00 M.

ELEVENTH DAY

SENATE CHAMBER,
Wednesday, January 26, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Reverend Waymon E. Pritchard, Executive Director of The Raleigh Rescue Mission, Incorporated, Raleigh, as follows:

"Our Father, this day we're thankful for the opportunities that present themselves to us, and I pray that we might be responsible in the fulfilling of our obligations to Thee and to our fellow man. We pray Thy guidance and direction upon these who are determining the affairs of mankind through their actions this day. Give them wisdom, give them courage, and may their character shine through their decisions in the name of our Lord, we pray. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

Pursuant to General Statute 7A-406, Senator Britt for the Judicial Council of the State of North Carolina submits **The Fifteenth Report of the Judicial Council of The State of North Carolina.** (See S. B. Nos. 23, 24, 25, 26, 27, 28, and 29. The Report is filed in the Legislative Library.)

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Soles for the **Local Government and Regional Affairs Committee:**

S. B. 5, a bill to amend Sections 2, 19, 20 and 26 of Chapter 388 of the 1973 Session Laws concerning the Winston-Salem Fire-Public Safety Retirement Fund Association, with a favorable report.

S. B. 7, a bill to amend Chapter 388, Session Laws of 1975 to reduce the number of Commissioners of the Town of Raynham from five to three, and to stagger the terms of office, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed of as follows:

By Senator Totherow:

S. B. 22, a bill to amend Chapter 115A, Section 4 of the North Carolina General Statutes to provide regulations for in-plant training.

Referred to **Education Committee.**

By Senator Britt:

S. B. 23, a bill to amend G. S. 7A-451 and 7A-288 so as to provide counsel in the court's discretion, to indigent parties in a proceeding for the termination of parental rights.

Referred to **Judiciary II Committee.**

By Senator Britt:

S. B. 24, a bill to amend G. S. 14-269.1 by deleting the authority of a judge to order the weapon turned over to a law enforcement agency for use by the agency.

Referred to **Judiciary II Committee.**

By Senator Britt:

S. B. 25, a bill to amend G. S. 1-84 to provide for removal of a civil cause to any adjacent county, any county in the same judicial disrtict, or any county in the adjacent judicial district if the same is necessary to ensure a fair trial.

Referred to **Judiciary II Committee.**

By Senator Britt:

S. B. 26, a bill to prohibit obstructing the administration of justice by picketing or parading.

Referred to **Judiciary II Committee.**

By Senator Britt:

S. B. 27, a bill to amend G. S. 7A-66 relating to the removal of district attorneys so as to clarify the authority of a superior court judge to dismiss a frivolous removal petition without conducting a hearing and to expand the time in which the court has to act from 15 to 30 days.

Referred to **Judiciary II Committee.**

By Senator Britt:

S. B. 28, a bill to repeal the Habitual Offender Article of the Motor Vehicles Law.

Referred to **Judiciary II Committee.**

By Senator Britt:

S. B. 29, a bill to amend G. S. 15A-1002 relating to the determination of a criminal defendant's incapacity to proceed so as to protect the confidentiality of the medical report and assure the physician-patient privilege.

Referred to **Judiciary II Committee.**

By Senators Winters, Wynne, Lake, Royall, and Whichard:

S. B. 30, a bill to amend the Charter of Raleigh-Durham Airport Authority to raise the rate of compensation of members.

Referred to **Local Government and Regional Affairs Committee.**

The following bills and resolutions are introduced:

By Senator Crawford:

S. B. 31, a bill prohibiting the receiving of compensation by anyone aiding or assisting a person in obtaining employment with the State of North Carolina.

By Senator Crawford:

S. B. 32, a bill to amend Chapter 126 of the General Statutes to prohibit the Office of State Personnel from conducting training programs.

By Senator Barnes:

S. B. 33, a bill to insure the speedy trial of persons charged with criminal offenses.

By Senator Harris:

S. B. 34, a bill to authorize a state-wide referendum on the Equal Rights Amendment to the Constitution of the United States.

By Senator Henley:

S. J. R. 35, a joint resolution inviting His Excellency, Governor James B. Hunt, Jr., to address a Joint Session of the Senate and House of Representatives at 8:00 P.M., Monday, January 31, 1977.

By Senator Henley:

S. J. R. 36, a joint resolution directing that energy conservation steps be initiated in the Legislative Building including thermostat reduction to 65 degrees during the day and a suitable lower temperature at night.

By Senator Whichard:

S. B. 37, a bill to deduct from gross income amounts received under a student loan program which provides that all or a portion of the loan indebtedness may be discharged if the student performs certain services for a period of time in a certain geographical area.

By Senators Renfrow and Sebo:

S. B. 38, a bill to amend G. S. Chapter 105 to remove sex discrimination from certain revenue laws.

By Senator Sebo:

S. B. 39, a bill to rewrite the Criminal Abandonment and Nonsupport and Bastardy Statutes to eliminate sex discrimination in the duty of support, to

allow garnishment proceedings as part of the criminal prosecution, and to consolidate repetitive statutes and remove surplusage.

By Senator Sebo:

S. B. 40, a bill to amend the civil divorce, custody and support laws to provide equality of rights under the law to men and women.

By Senator Sebo:

S. B. 41, a bill to amend or repeal certain miscellaneous statutes that discriminate on the basis of sex in order to remove the discrimination.

S. B. 42, a bill to amend G. S. Chapter 35 relating to mental diseases and incompetents to remove sex discrimination.

By Senator Sebo:

S. B. 43, a bill to amend the Constitution of North Carolina to permit a surviving spouse of either sex to receive the benefit of the Homestead Exemption.

By Senator Sebo:

S. B. 44, a bill to permit a surviving spouse of either sex to receive the benefit of the Homestead Exemption.

By Senators Kincaid and Sebo:

S. B. 45, a bill to permit a married woman's life to be insured for the benefit of her husband or children or both.

By Senators Kincaid and Sebo:

S. B. 46, a bill to amend the Constitution of North Carolina to extend to a married woman the right to insure her life for the benefit of her husband or children or both.

By Senator Sebo:

S. B. 47, a bill to equalize between married persons the right to income, possession, and control of property owned concurrently in tenancy by the entirety.

By Senator Sebo:

S. B. 48, a bill to rewrite G. S. 14-202, the "Peeping Tom" Statute, to clarify its intent and to make its provisions applicable to secret looking into a room occupied by any person, not just a female.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 12:00 M.

TWELFTH DAY

SENATE CHAMBER,
Thursday, January 27, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we thank you for those who serve our nation and who provide leadership for the world. We know that they can go no further in bringing peace to the world than we are prepared to go with them. Help us to be the kind of citizens who can be counted on to vote our convictions; who support worthy leaders; and who reflect in our own conduct the characteristics we would like to see in those who direct the affairs of our nation. For Your name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Harrington for today, and to Senators Scott and Marion for tomorrow, January 28.

Courtesies of the floor are extended to the Honorable Voit Gilmore, former Senator of Southern Pines.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed of as follows:

By Senator Crawford:

S. B. 31, a bill prohibiting the receiving of compensation by anyone aiding or assisting a person in obtaining employment with the State of North Carolina.

Referred to **State Government Committee.**

By Senator Crawford:

S. B. 32, a bill to amend Chapter 126 of the General Statutes to prohibit the Office of State Personnel from conducting training programs.

Referred to **State Government Committee.**

By Senator Barnes:

S. B. 33, a bill to insure the speedy trial of persons charged with criminal offenses.

Referred to **Judiciary II Committee.**

By Senator Harris:

S. B. 34, a bill to authorize a state-wide referendum on the Equal Rights Amendment to the Constitution of the United States.

Referred to **Constitutional Amendments Committee.**

By Senator Henley:

S. J. R. 35, a joint resolution inviting His Excellency, Governor James B. Hunt, Jr., to address a Joint Session of the Senate and House of Representatives at 8:00 P.M., Monday, January 31, 1977.

On motion of Senator Henley, the rules are suspended and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second and third readings and, without objection, is ordered sent to the House of Representatives by special messenger.

By Senator Henley:

S. J. R. 36, a joint resolution directing that energy conservation steps be initiated in the Legislative Building including thermostat reduction to 65 degrees during the day and a suitable lower temperature at night.

Referred to **Rules and Operation of the Senate Committee.**

By Senator Whichard:

S. B. 37, a bill to deduct from gross income amounts received under a student loan program which provides that all or a portion of the loan indebtedness may be discharged if the student performs certain services for a period of time in a certain geographical area.

Referred to **Judiciary I Committee.**

By Senators Renfrow and Sebo:

S. B. 38, a bill to amend G. S. Chapter 105 to remove sex discrimination from certain revenue laws.

Referred to **Judiciary I Committee.**

By Senator Sebo:

S. B. 39, a bill to rewrite the Criminal Abandonment and Nonsupport and Bastardy Statutes to eliminate sex discrimination in the duty of support, to allow garnishment proceedings as part of the criminal prosecution, and to consolidate repetitive statutes and remove surplusage.

Referred to **Judiciary II Committee.**

By Senator Sebo:

S. B. 40, a bill to amend the civil divorce, custody and support laws to provide equality of rights under the law to men and women.

Referred to **Judiciary II Committee.**

By Senator Sebo:

S. B. 41, a bill to amend or repeal certain miscellaneous statutes that discriminate on the basis of sex in order to remove the discrimination.
Referred to **Judiciary II Committee.**

By Senator Sebo:

S. B. 42, a bill to amend G. S. Chapter 35 relating to mental diseases and incompetents to remove sex discrimination.
Referred to **Judiciary II Committee.**

By Senator Sebo:

S. B. 43, a bill to amend the Constitution of North Carolina to permit a surviving spouse of either sex to receive the benefit of the Homestead Exemption.
Referred to **Constitutional Amendments Committee.**

By Senator Sebo:

S. B. 44, a bill to permit a surviving spouse of either sex to receive the benefit of the Homestead Exemption.
Referred to **Judiciary II Committee.**

By Senators Kincaid and Sebo:

S. B. 45, a bill to permit a married woman's life to be insured for the benefit of her husband or children or both.
Referred to **Insurance Committee.**

By Senators Kincaid and Sebo:

S. B. 46, a bill to amend the Constitution of North Carolina to extend to a married woman the right to insure her life for the benefit of her husband or children or both.
Referred to **Insurance Committee.**

By Senator Sebo:

S. B. 47, a bill to equalize between married persons the right to income, possession, and control of property owned concurrently in tenancy by the entirety.
Referred to **Judiciary II Committee.**

By Senator Sebo:

S. B. 48, a bill to rewrite G. S. 14-202, the "Peeping Tom" Statute, to clarify its intent and to make its provisions applicable to secret looking into a room occupied by any person, not just a female.
Referred to **Judiciary II Committee.**

The following bills and resolutions are introduced:

By Senator McDuffie:

S. B. 49, a bill to extend Ticket Scalping Law to include musical concerts.

By Senator Renfrow:

S. J. R. 50, a joint resolution congratulating and commending the Clayton High School Basketball Team of Clayton for its performance and sportsmanship in winning the State 2-A Conference Basketball Championship in 1976.

By Senators Davis, McDuffie, and Vickery:

S. B. 51, a bill to establish a Joint Legislative Commission on Intergovernmental Relations.

By Senators Davis, McDuffie, Vickery, Mathis, and Totherow:

S. B. 52, a bill to amend G. S. 143B-337 to provide for additional representation on the Governor's Law and Order Commission.

By Senators Davis, McDuffie, Vickery, Childers, Hardison, Jordan, Mathis, Royall, Totherow, Barnes, and Palmer:

S. B. 53, a bill to require state agencies to include anticipated federal funding in their budget preparations, to require the Director of the Budget to include this information in the budget submitted to the General Assembly, to provide for legislative appropriation of all federal funding for North Carolina, and to prohibit spending of any federal funds not considered in the legislative appropriation process without Advisory Budget Commission approval.

By Senators Davis, McDuffie, and Vickery:

S. B. 54, a bill to transfer the Office of Intergovernmental Relations to the Department of Natural and Economic Resources.

By Senator Crawford:

S. B. 55, a bill to amend Chapter 143 of the General Statutes to prevent the improper expenditure or transfer of funds.

By Senator Allsbrook:

S. B. 56, a bill to clarify provisions governing advertisement for creditors of estates of decedents.

By Senator Allsbrook:

S. B. 57, a bill to prescribe rules for the conduct of auction sales of personal property by school boards.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

January 27, 1977

H. B. 9, a bill to amend Chapter 224 of the Private Laws, 1901, relating to the Charter of the Town of Ellenboro in Rutherford County.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 29, a bill to permit a physician or surgeon to perform a sterilization operation without consultation with another physician or surgeon.

Referred to **Judiciary II Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 5, a bill to amend Sections 2, 19, 20 and 26 of Chapter 388 of the 1973 Session Laws concerning the Winston-Salem Fire-Public Safety Retirement Fund Association.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 7, a bill to amend Chapter 388, Session Laws of 1975 to reduce the number of Commissioners of the Town of Raynham from five to three, and to stagger the terms of office.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 10:00 A.M.

THIRTEENTH DAY

SENATE CHAMBER,
Friday, January 28, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, may we consider anew today the petition found in the Scriptures, 'Help us to number our days that we may apply our hearts unto wisdom.' We know that knowledge is not enough for the problems we face. We must have that wisdom which cometh from Thee alone, and without which we shall surely go astray. Give us that wisdom, O God, we pray. In the Savior's name. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

January 28, 1977

The President grants a leave of absence to Senator McDuffie for today. Leaves previously granted to Senators Scott and Marion are noted.

The President appoints Senators Harrington, Lawing, and Rauch to serve as an Escort Committee to His Excellency, Governor James B. Hunt, Jr., pursuant to S. J. R. 35.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S. J. R. 35

HOUSE OF REPRESENTATIVES
January 28, 1977

Mr. President:

It is ordred that a message be sent your Honorable Body with the information that pursuant to S. J. R. 35, a Joint Resolution inviting His Excellency, Governor James B. Hunt, Jr., to address a Joint Session of the Senate and House of Representatives at 8:00 P.M., Monday, January 31, 1977, the Speaker has appointed the following members of the House of Representatives to serve with a like Committee of the Senate to invite, greet and escort the Governor to the Joint Session:

Representative Foyle Hightower, Jr.
Representative Peter W. Hairston
Representative Edward S. Holmes

Respectfully,
GRACE A. COLLINS
Principal Clerk

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed as follows:

By Senator McDuffie:

S. B. 49, a bill to extend Ticket Scalping Law to include musical concerts.
Referred to **Judiciary I Committee.**

By Senator Renfrow:

S. J. R. 50, a joint resolution congratulating and commending the Clayton High School Basketball Team of Clayton for its performance and sportsmanship in winning the State 2-A Conference Championship in 1976.
Referred to the **Rules and Operation of the Senate Committee.**

By Senators Davis, McDuffie, and Vickery:

S. B. 51, a bill to establish a Joint Legislative Commission on Intergovernmental Relations.
Referred to the **Rules and Operation of the Senate Committee.**

By Senators Davis, McDuffie, Vickery, Totherow, and Mathis:

S. B. 52, a bill to amend G. S. 143B-337 to provide for additional representation on the Governor's Law and Order Commission.
Referred to **Judiciary II Committee.**

By Senators Davis, McDuffie, Vickery, Totherow, Royall, Childers, Mathis, Barnes, Palmer, Hardison, and Jordan:

S. B. 53, a bill to require state agencies to include anticipated federal funding in their budget preparations, to require the Director of the Budget to include this information in the budget submitted to the General Assembly, to provide for legislative appropriation of all federal funding for North Carolina, and to prohibit spending of any federal funds not considered in the legislative appropriation process without Advisory Budget Commission approval.
Referred to **Appropriations Committee.**

By Senators Davis, McDuffie, and Vickery:

S. B. 54, a bill to transfer the Office of Intergovernmental Relations to the Department of Natural and Economic Resources.
Referred to **State Government Committee.**

By Senator Crawford:

S. B. 55, a bill to amend Chapter 143 of the General Statutes to prevent the improper expenditure or transfer of funds.
Referred to **Appropriations Committee.**

By Senators Allsbrook and Barnes:

S. B. 56, a bill to clarify provisions governing advertisement for creditors of estates of decedents.
Referred to **Judiciary I Committee.**

By Senator Allsbrook:

S. B. 57, a bill to prescribe rules for the conduct of auction sales of personal property by school boards.
Referred to **Judiciary I Committee.**

The following bills and resolutions are introduced:

By Senator Barnes:

S. B. 58, a bill to amend Chapter 687 of the Session Laws of 1975 and to limit certain powers of the incorporated Village of Walnut Creek.

By Senators Garrison and Raynor:

S. B. 59, a bill to amend Chapter 903 of the 1975 Session Laws to provide that agencies receiving funds as a result of the Law Enforcement Officers' Minimum Salary Act shall be required to fund a percentage of the minimum salaries specified by that Act.

January 28, 1977

By Senator Crawford:

S. J. R. 60, a joint resolution urging state agencies, departments, institutions and employees to undertake a continuing program of energy conservation.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 8, a bill to amend Chapter 263 of the 1975 Session Laws to delete Polk County from the modified subdivision control ordinance.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 33, a bill to correct an erroneous citation to the North Carolina Constitution.

Referred to **Judiciary I Committee.**

H. B. 37, a bill to amend Chapter 42 of the 1935 Public-Local Laws to authorize all those who serve as junior traffic officers for the City of Wilmington and New Hanover County to participate in the annual outing.

Referred to **Local Government and Regional Affairs Committee.**

H. J. R. 107, a joint resolution inviting His Excellency, Governor James B. Hunt, Jr., to address a Joint Session of the Senate and House of Representatives at 8:00 P.M., Monday, January 31, 1977.

On motion of Senator Henley the joint resolution is postponed indefinitely.

H. J. R. 115, a joint resolution urging the President of the United States and the United States Congress to take steps necessary to provide additional supplies of natural gas to the State of North Carolina.

On motion of Senator Alford, the rules are suspended, and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the Office of the Secretary of State:

S. J. R. 35, a joint resolution inviting His Excellency, Governor James B. Hunt, Jr., to address a Joint Session of the Senate and House of Representatives at 8:00 P.M., Monday, January 31, 1977.

H. J. R. 115, a joint resolution urging the President of the United States and the United States Congress to take steps necessary to provide additional supplies of natural gas to the State of North Carolina.

On motion of Senator Henley, the Senate adjourns to meet Monday, at 7:30 P.M.

January 28, 1977

FOURTEENTH DAY

SENATE CHAMBER,
Monday, January 31, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, on this first day of a new legislative week, we would seek from Thee the wisdom and the humility of Solomon, who when confronted by the responsibilities of his office, prayed: 'I am as a little child. I know not how to go in and out among this great people. Give, therefore, to Thy servant an understanding heart.' Grant to each of us, all the qualities needed for making the days before us a time of wise and creative achievement in the service of this great State. And to Thee shall be the honor and praise. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of Friday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Alford for today.

S. B. 37, a bill to deduct from gross income amounts received under a student loan program which provides that all or a portion of the loan indebtedness may be discharged if the student performs certain services for a period of time in a certain geographical area.

Without objection, the bill is taken from the **Judiciary I Committee** and is re-referred to the **Finance Committee.**

The President recognizes the following pages serving in the Senate this week: Marguerite Attkisson, Raleigh; Eddie Cartwright, South Mills; Gerry Cobb, Fayetteville; Jane Gray, Hamptonville; Doris Harrell, Burgaw; Alan Jones, New Bern; Susie Moore, Kenly; Xandy Peete, Durham; Patricia Pleasants, Cary; Ellen Reese, Cary; Danny Robinson, Laurinburg; Jane Swain, Plymouth; Teresa Thompson, Raleigh; Randy Whaley, Fayetteville; Nancy White, Kings Mountain; Terry Yarborough, Kings Mountain; and Will Zieglar, Winston-Salem.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S. J. R. 35

HOUSE OF REPRESENTATIVES
January 31, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that pursuant to S. J. R. 35, a joint resolution inviting His Excellency, Governor James B. Hunt, Jr., to address a Joint Session of the Senate and House of Representatives at 8:00 P.M., Monday, January 31, 1977, the House of Representatives stands ready to receive the Senate in Joint Session at the hour appointed.

Respectfully,
GRACE A. COLLINS
Principal Clerk

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed of as follows:

By Senator Barnes:

S. B. 58, a bill to amend Chapter 687 of the Session Laws of 1975 and to limit certain powers of the incorporated Village of Walnut Creek.
Referred to **Local Government Committee.**

By Senators Garrison and Raynor:

S. B. 59, a bill to amend Chapter 903 of the 1975 Session Laws to provide that agencies receiving funds as a result of the Law Enforcement Officers' Minimum Salary Act shall be required to fund a percentage of the minimum salaries specified by that Act.
Referred to **Law Enforcement and Crime Control Committee.**

By Senator Crawford:

S. J. R. 60, a joint resolution urging state agencies, departments, institutions and employees to undertake a continuing program of energy conservation.
Referred to **Rules and Operation of the Senate Committee.**

The following bills and resolutions are introduced:

By Senators Whichard, Combs, and Raynor:

S. B. 61, a bill to restructure and rename the Department of Military and Veterans Affairs as the Department of Crime Control, Public Safety and Veterans.

By Senators Whichard, Combs, and Raynor:

S. B. 62, a bill to establish the Governor's Crime Commission by amending and rewriting G. S. 143B-337 and renaming, restructuring and redefining the purposes of the Governor's Law and Order Commission.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 36, a bill to amend Chapter 49 of the General Statutes to make inadequate support of illegitimate child by parents a misdemeanor.
Referred to **Judiciary I Committee.**

H. B. 59, a bill to apply to Iredell County the provisions of Section 1 of Chapter 4 of the 1971 Session Laws requiring the reporting of certain wounds, injuries or illnesses.
Referred to **Local Government Committee.**

The President orders a special message sent to the House of Representatives informing that Honorable Body that the Senate stands ready to repair to the Hall of the House, there to sit in Joint Session with that Honorable Body for the purpose of receiving the Governor's message pursuant to **S. J. R. 35.**

On motion of Senator Henley, the Senate recesses to meet in Joint Session in the House of Representatives for the purpose of receiving the Governor's message and, upon dissolution of the Joint Session, the Senate stands adjourned to meet tomorrow at 12:00 M.

JOINT SESSION

The Senate is received by the members of the House of Representatives standing and the Joint Session is called to order by the Honorable James C. Green, Lieutenant Governor.

The President extends the courtesies of the floor to the Council of State and to distinguished guests.

The President recognizes Senator Rauch who presents His Excellency, Governor James B. Hunt, Jr., who delivers his message relative to the creation of the Department of Crime Control, Public Safety and Veterans. (Pursuant to **S. J. R. 35,** the text of the address appears in the Appendix.)

On motion of Senator Henley, the Joint Session is dissolved and, pursuant to his motion heretofore made, the Senate stands adjourned to meet tomorrow at 12:00 M.

FIFTEENTH DAY

SENATE CHAMBER,
Tuesday, February 1, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we thank Thee for times of serenity and security, but we thank Thee, too, for periods of turbulence and uncertainty, remembering that it is only when we recognize the limitations of our humanity that we look to Thee for the necessary resources of life.

May we, in these days of multitudinous problems, draw strength from our heritage, and rededicate ourselves anew to the ideals of our forefathers. And when a better day dawns, we shall give Thee all the glory and the praise, world without end. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Britt for the **Judiciary II Committee:**

S. B. 3, a bill to amend Article 7 of Chapter 110 of the General Statutes, entitled "Day-Care Facilities" to provide changes in the definition of day care and to provide that the Commission shall have the power to seek injunctive relief, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Britt, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed of as follows:

By Senators Whichard, Combs, and Raynor:

S. B. 61, a bill to restructure and rename the Department of Military and Veterans Affairs as the Department of Crime Control, Public Safety and Veterans.

Referred to **State Government Committee.**

By Senators Whichard, Combs, and Raynor:

S. B. 62, a bill to establish the Governor's Crime Commission by amending and rewriting G. S. 143B-337 and renaming, restructuring and redefining the purposes of the Governor's Law and Order Commission.

Referred to **State Government Committee.**

The following bills and resolutions are introduced:

By Senators Smith of Guilford, Hill, Garrison, and Vickery:

S. B. 63, a bill to amend the statutory provisions for notice and hearing prior to mortgage foreclosure sales to clarify ambiguities and provide for a more efficient procedure.

By Senators Smith of Guilford, Hill, Garrison, and Vickery:

S. B. 64, a bill to provide for small claims court hearings for the enforcement of certain mechanic and storage liens on motor vehicles.

By Senator Smith of New Hanover:

S. B. 65, a bill to make isolated amendments to the General Statutes.

By Senator Smith of New Hanover:

S. B. 66, a bill to amend various statutes regarding the administration of decedents' estates.

By Senator Smith of New Hanover:

S. B. 67, a bill to make various technical amendments to the General Statutes.

By Senators Lawing, Alexander, Mathis, and McDuffie:

S. B. 68, a bill to authorize the construction and the financing, without appropriations from the General Fund, of a certain capital improvements project by a constituent institution of the University of North Carolina, the University of North Carolina at Charlotte.

By Senator Renfrow:

S. B. 69, a bill to exempt from taxation special fuels lost by accident.

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 3, Committee Substitute for S. B. 3, a bill to amend Article 7 of Chapter 110 of the General Statutes, entitled "Day-Care Facilities" to pro-

vide changes in the definition of day care and to provide that the Commission shall have the power to seek injunctive relief.

On motion of Senator Britt, the Committee Substitute bill is adopted and on his further motion placed on the Calendar for Friday, February 4.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:00 P.M.

SIXTEENTH DAY

SENATE CHAMBER,
Wednesday, February 2, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Reverend Larry Williams, Campus Minister, Meredith College, Raleigh, North Carolina, as follows:

"Oh God, we have been told that there is a time for all things. Help us to know what time it is and how to live in the rhythm of time.

"We know that now is a time of quietness, a time of prayer. So we offer our thanks to You, our confession of sin, our prayers for others, and our prayers of commitment. Help us to know more of these times of quietness and prayer.

"Soon it will be time to act. We offer our prayer for wisdom, strength and integrity in actions of the Senate and other actions today. Especially in the midst of the energy crisis we pray that we all might act with concern and unselfishness.

"Oh Lord, we are thankful for times of prayer and for times of action; but we are also grateful for times of joy. Help us not to take ourselves so seriously that we forget how to laugh. Help us not to become so enamored with power that we forget our family and friends and even the stranger who can sometimes bless us.

"Oh Lord, as we continue to seek to discover this rhythm of time, we are grateful that Jesus Christ came into time and we pray that He will once again enter our time today.

"In the name of Jesus the Christ, Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Totherow for today, and for Thursday, and Friday, February 3, and 4.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator McDuffie for the **Election Laws Committee:**

S. B. 14, a bill to amend Chapter 163 of the General Statutes of North Carolina to authorize absentee ballots in county and municipal school board elections, with a favorable report.

By Senator Allsbrook for the **Judiciary I Committee:**

H. B. 33, a bill to correct an erroneous citation to the North Carolina Constitution, with a favorable report.

By Senator Britt for the **Judiciary II Committee:**

S. B. 15, a bill to amend Chapter 1057 of the Session Laws of 1973 so as to make permanent the provisions of G. S. 20-7(f), regarding the elimination of road and written tests for safe drivers applying for renewal of operator's license, with a favorable report.

S. B. 23, a bill to amend G. S. 7A-451 and 7A-288 so as to provide counsel, in the court's discretion, to indigent parties in a proceeding for the termination of parental rights, with a favorable report, as amended.

On motion of Senator Britt, the rules are suspended and the bill is placed before the Senate for immediate consideration.

On motion of Senator Britt, Committee Amendment No. 1 is adopted, and on his further motion, the bill, as amended, is re-referred to the **Appropriations Committee.**

S. B. 25, a bill to amend G. S. 1-84 to provide for removal of a civil cause to any adjacent county, any county in the same judicial district, or any county in the adjacent judicial district if the same is necessary to ensure a fair trial, with a favorable report, as amended.

By Senator Soles for the **Local Government and Regional Affairs Committee:**

S. B. 30, a bill to amend the Charter of Raleigh-Durham Airport Authority to raise their rate of compensation of members, with a favorable report.

H. B. 8, a bill to amend Chapter 263 of the 1975 Session Laws to delete Polk County from the Modified Subdivision Control Ordinance, with a favorable report.

H. B. 9, a bill to amend Chapter 224 of the Private Laws, 1901 relating to the Charter of the Town of Ellenboro in Rutherford County, with a favorable report.

By Senator Whichard for the **State Government Committee:**

S. B. 62, a bill to establish the Governor's Crime Commission by amending and rewriitng G. S. 143B-337 and renaming, restructuring and redefining the purposes of the Governor's Law and Order Commission, with a favorable report, as amended.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed of as follows:

By Senators Smith of Guilford, Hill, Garrison, and Vickery:

S. B. 63, a bill to amend the statutory provisions for notice and hearing prior to mortgage foreclosure sales to clarify ambiguities and provide for a more efficient procedure.
Referred to **Judiciary II Committee.**

By Senators Smith of Guilford, Hill, Garrison, and Vickery:

S. B. 64, a bill to provide for small claims court hearings for the enforcement of certain mechanic and storage liens on motor vehicles.
Referred to **Judiciary II Committee.**

By Senator Smith of New Hanover:

S. B. 65, a bill to make isolated amendments to the General Statutes.
Referred to **Judiciary II Committee.**

By Senator Smith of New Hanover:

S. B. 66, a bill to amend various statutes regarding the administration of decedents' estates.
Referred to **Judiciary I Committee.**

By Senator Smith of New Hanover:

S. B. 67, a bill to make various technical amendments to the General Statutes.
Referred to **Judiciary II Committee.**

By Senators Lawing, Alexander, Mathis, and McDuffie:

S. B. 68, a bill to authorize the construction and the financing, without appropriations from the General Fund, of a certain capital improvements project by a constituent institution of the University of North Carolina, the University of North Carolina at Charlotte.
Referred to the **Higher Education Committee.**

By Senator Renfrow:

S. B. 69, a bill to exempt from taxation special fuels lost by accident.
Referred to **Finance Committee.**

The following bills and resolutions are introduced:

By Senator Hardison:

S. B. 70, a bill to transfer the Energy Division and the Energy Policy Council from the Department of Military and Veterans Affairs to the Department of Commerce.

By Senator Lawing:

S. B. 71, a bill to suspend the operation of the public schools throughout North Carolina for a two-week period due to the current energy crisis.

By Senators Sharpe, Combs, Kincaid, Daniels, Hill, Davis, Whichard, Soles, Swain, Marion, Ballenger, Palmer, Smith of Guilford, and Harris:

S. B. 72, a bill to appropriate funds to promote production of the outdoor drama "From This Day Forward."

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 24, a bill to amend Article 7 of Chapter 110 of the General Statutes, entitled "Day-Care Facilities" to provide changes in the definition of day care and to provide that the Commission shall have the power to seek injunctive relief.
Referred to **Judiciary II Committee.**

H. B. 34, a bill to correct an erroneous citation to the Principal and Income Act of 1973.
Referred to **Judiciary I Committee.**

H. B. 47, a bill to delete the provision in G. S. 18A-56 that makes it a misdemeanor to violate a rule of the ABC Board.
Referred to **Judiciary I Committee.**

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:00 P.M.

SEVENTEENTH DAY

SENATE CHAMBER,
Thursday, February 3, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we are thankful for the atmosphere of freedom in which we are privileged to live and carry on our work. May we never forget that these freedoms are not a cheap inheritance but rather were made possible for us because our forefathers were willing to suffer and die for them. Help us to guard these liberties jealously and pass them on to our children undiminished. For Thy name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Vickery for today and to Senator Mathis for tomorrow, February 4. A leave of absence previously granted to Senator Totherow is noted.

S. B. 44, a bill to permit a surviving spouse of either sex to receive the benefit of the Homestead Exemption.

On motion of Senator Britt the rules are suspended and the bill is taken from the Judiciary II Committee and re-referred to the Constitutional Amendments Committee.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. B. 9

HOUSE OF REPRESENTATIVES
February 3, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body requesting the return of House Bill 9, a bill to be entitled an act to amend Chapter 224 of the Private Laws, 1901, relating to the Charter of the Town of Ellenboro in Rutherford County, for further consideration by the House of Representatives.

Respectfully,
GRACE A. COLLINS
Principal Clerk

The President orders that, without objection, H. B. 9, a bill to be entitled an act to amend Chapter 224 of the Private Laws, 1901, relating to the charter of the Town of Ellenboro in Rutherford County, be taken from today's calendar and returned to the House of Representatives by special messenger.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Allsbrook, for the **Judiciary I Committee:**

S. B. 49, a bill to extend Ticket Scalping Law to include musical concerts, with a favorable report.

H. B. 36, a bill to amend Chapter 49 of the General Statutes to make inadequate support of illegitimate child by parents a misdemeanor, with a favorable report.

By Senator Britt, for the **Judiciary II Committee:**

S. B. 48, a bill to rewrite G. S. 14-202, the "Peeping Tom" Statute, to clarify its intent and to make its provisions applicable to secret looking into a room occupied by any person, not just a female, with an unfavorable report.

H. B. 24, Committee Substitute for H. B. 24, a bill to amend Article 7 of Chapter 110 of the General Statutes, entitled "Day-Care Facilities" to provide changes in the definition of day care and to provide that the Commission shall have the power to seek injunctive relief, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed of as follows:

By Senator Hardison:

S. B. 70, a bill to transfer the Energy Division and the Energy Policy Council from the Department of Military and Veterans Affairs to the Department of Commerce.
Referred to **State Government Committee.**

By Senator Lawing:

S. B. 71, a bill to suspend the operation of the public schools throughout North Carolina for a two-week period due to the energy crisis.
Referred to **Public Utilities Committee.**

By Senators Sharpe, Combs, Kincaid, Daniels, Hill, Davis, Whichard, Soles, Swain, Marion, Ballenger, Palmer, Smith of Guilford, and Harris:

S. B. 72, a bill to appropriate funds to promote production of the outdoor drama "From This Day Forward."
Referred to **Appropriations Committee.**

The following bills and resolutions are introduced:

By Senator Hardison:

S. B. 73, a bill to amend G. S. 113B-21 relating to membership of the Legislative Committee on Energy Crisis Management.

By Senator Popkin:

S. B. 74, a bill extending the corporate limits of the Town of Holly Ridge.

By Senators Childers, Crawford, Royall, Lawing, Jordan, Renfrow, Henley, Stallings, Mathis, Palmer, Ballenger, Rauch and Hardison:

S. B. 75, a bill to amend Chapter 96 of the General Statutes known as the Employment Security Law offsetting retiree's benefits and disqualifying claimants who voluntarily leave their job, are discharged for misconduct or who refuse to accept suitable work until they return to employment and requalify for benefits.

By Senators Kincaid and Ballenger:

S. B. 76, a bill to deny unemployment compensation to persons who voluntarily quit their jobs.

By Senator Smith of New Hanover:

S. B. 77, a bill to repeal G. S. 14-344 which prevents the sale of athletic contest tickets in excess of printed price.

By Senators Stallings, Childers, Marion, Sebo, and Wynne:

S. B. 78, a bill to make public school teachers and employees eligible to serve as members of county and city boards of education other than those boards which are their employers.

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 14, a bill to amend Chapter 163 of the general statutes of North Carolina to authorize absentee ballots in county and municipal school board elections.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 15, a bill to amend Chapter 1057 of the Session Laws of 1973 so as to make permanent the provisions of G. S. 20-7(f), regarding the elimination of road and written tests for safe drivers applying for renewal of operator's license.

The bill passes its second and third readings and is ordered sent to House of Representatives.

S. B. 25, a bill to amend G. S. 1-84 to provide for removal of a civil cause to any adjacent county, any county in the same judicial district, or

any county in the adjacent judicial district if the same is necessary to ensure a fair trial.

Senator Britt offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 30, a bill to amend the Charter of Raleigh-Durham Airport Authority to raise the rate of compensation of members.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 62, a bill to establish the Governor's Crime Commission by amending and rewriting G. S. 143B-337 and renaming, restructuring and redefining the purposes of the Governor's Law and Order Commission.

On motion of Senator Whichard, consideration of the bill is postponed until Monday, February 7.

H. B. 8, a bill to amend Chapter 263 of the 1975 Session Laws to delete Polk County from the Modified Subdivision Control Ordinance.

The bill passes its second and third readings and is ordered enrolled.

H. B. 33, a bill to correct an erroneous citation to the North Carolina Constitution.

The bill passes its second and third readings and is ordered enrolled.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 10:00 A.M.

EIGHTEENTH DAY

SENATE CHAMBER,
Friday, February 4, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, as we come to the end of another week of legislative activity, we pray that You will bless what we have done that is right, overrule anything we may have done that is wrong, and continue to guide us as we seek to serve the people of this State. Keep us in Your care as we drive homeward today, and on our return journey Monday. In the Redeemer's name, we pray. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

February 4, 1977

The President grants leaves of absence to Senators Whichard and Harris for today. Leaves granted previously to Senators Mathis and Totherow are noted.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed of as follows:

By Senator Hardison:

S. B. 73, a bill to amend G. S. 113B-21 relating to membership of the Legislative Committee on Enregy Crisis Management.
Referred to **State Government Committee.**

By Senator Popkin:

S. B. 74, a bill extending the corporate limits of the Town of Holly Ridge.
Referred to **Local Government and Regional Affairs Committee.**

By Senators Childers, Palmer, Crawford, Royall, Lawing, Jordan, Renfrow, Henley, Stallings, Mathis, Ballenger, Rauch, and Hardison:

S. B. 75, a bill to amend Chapter 96 of the General Statutes known as the Employment Security Law offsetting retiree's benefits and disqualifying claimants who voluntarily leave their job, are discharged for misconduct or who refuse to accept suitable work until they return to employment and requalify for benefits.
Referred to **Manufacturing Labor and Commerce Committee.**

By Senators Kincaid and Ballenger:

S. B. 76, a bill to deny unemployment compensation to persons who voluntarily quit their jobs.
Referred to **Manufacturing Labor and Commerce Committee.**

By Senator Smith of New Hanover:

S. B. 77, a bill to repeal G. S. 14-344 which prevents the sale of athletic contest tickets in excess of printed price.
Referred to **Judiciary I Committee.**

By Senators Stallings, Sebo, Marvin, Wynne, and Childers:

S. B. 78, a bill to make public school teachers and employees eligible to serve as members of county and city boards of education other than those boards which are their employers.
Referred to **Education Committee.**

The following bills and resolutions are introduced:

By Senator Marion:

S. B. 79, a bill to empower the City of Mt. Airy to remove particular tracts and parcels of land from established service districts.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 57, a bill to change the terms of the Elizabeth City-Pasquotank Board of Education members to four years and to allow sixty days to fill vacancies.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 84, a bill to amend the Charter of the Town of Pikeville, Chapter 108, Private Laws 1891, to provide for the election of the mayor and members of the Board of Commissioners for terms of four years.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 109, a bill to abolish the Office of Coroner in Currituck County.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 113, a bill prohibiting the discharge of firearms on or across any highway in Ashe County.

Referred to **Wildlife Committee.**

H. B. 114, a bill to amend the Session Laws of 1967 to provide for the enforcement of the Alleghany County Local Firearms Act.

Referred to **Wildlife Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 3, Committee Substitute for **S. B. 3**, a bill to amend Article 7 of Chapter 110 of the General Statutes, entitled "Day-Care Facilities" to provide changes in the definition of day care and to provide that the Commission shall have the power to seek injunctive relief, upon second reading.

On motion of Senator Davis, consideration of the Committee Substitute bill is postponed until Monday, February 7.

S. B. 49, a bill to extend Ticket Scalping Law to include musical concerts.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 24, Committee Substitute for **H. B. 24**, a bill to amend Article 7 of Chapter 110 of the General Statutes, entitled "Day-Care Facilities" to provide changes in the definition of day care and to provide that the Commission shall have the power to seek injunctive relief, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 36, noes 1, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Barnes, Britt, Childers, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sharpe, Smith of Guilford, Stallings, Vickery, Walker, Webster, White, Winters, and Wynne — 36.

Voting in the negative is Senator Swain — 1.

Without objection, Senator Combs is excused from voting for the following reason: "I have nine licensed Day Care Centers."

The Committee Substitute bill remains on the Calendar upon third reading.

H. B. 36, a bill to amend Chapter 49 of the General Statutes to make inadequate support of illegitimate child by parents a misdemeanor.

The bill passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 8, an act to amend Chapter 263 of the 1975 Session Laws to delete Polk County from the Modified Subdivision Control Ordinance.

On motion of Senator Henley, the Senate adjourns to meet Monday at 7:00 P.M.

NINETEENTH DAY

SENATE CHAMBER,
Monday, February 7, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"O God and Father of us all, we praise Thee for all Thy goodness to us and to all mankind. We marvel at the wonder and beauty of nature; the trustfulness and innocence of little children; the love and security which our families provide; and the goodwill and faithfulness of our friends. It is in the spirit of thanksgiving that we come to Thee in this hour. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of Friday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Harrington for tonight, and for Tuesday, and Wednesday, February 8, and 9.

The President recognizes the following pages serving in the Senate this week: Lucy Corbin, Wake Forest; David Creech, Ayden; Mike Gregg, Winston-Salem; Carol Jerome, Brevard; Diane Moore, North Wilkesboro; Mike Owens, Matthews; Katherine Parker, Ahoskie; John Patterson, Salisbury; Kent Richardson, Raleigh; Lorette Richey, Charlotte; David Ritch, Charlotte; Harry Rhyne, Charlotte; Thomas Sharpe, Harmony; Chris Slagle, Franklin; Beth Stanley, Cary; Ann Starling, Hope Mills; Katie Swain, Asheville; Robert Swain, Asheville; David Tickle, Summerfield; Tim Victor, Greensboro; and Denise Wilder, Wendell.

The President extends courtesies of the floor to the Honorable William W. Staton, former Senator from Sanford.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed of as follows:

By Senator Marion:

S. B. 79, a bill to empower the City of Mt. Airy to remove particular tracts and parcels of land from established service districts.
Referred to **Local Government and Regional Affairs Committee.**

The following bills and resolutions are introduced:

By Senator Stallings, Alford, White, Lake, Winters, Wynne, Vickery, Marvin, Walker, Marion, Webster, Barnes, and Mathis:

S. B. 80, a bill providing for the adoption and use of tests to assure that high school graduates possess skills and knowledge necessary to function in society.

By Senators Stallings, Lake, Winters, Wynne, Vickery, Walker, Marion, Webster, Alford, White, Barnes, and Mathis:

S. B. 81, a bill to provide for annual testing in the public schools in order to assess the effectiveness of the educational process.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 9, a bill to amend Chapter 224 of the Private Laws, 1901, relating to the Charter of the Town of Ellenboro in Rutherford County.
The bill is placed on the Calendar for tomorrow, February 8.

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 3, Committee Substitute for **S. B. 3**, a bill to amend Article 7 of Chapter 110 of the General Statutes, entitled "Day-Care Facilities" to provide changes in the definition of day care and to provide that the Commission shall have the power to seek injunctive relief, upon second reading.

On motion of Senator Davis, the Committee Substitute bill is postponed indefinitely.

S. B. 62, a bill to establish the Governor's Crime Commission by amending and rewriting G. S. 143B-337 and renaming, restructuring and redefining the purposes of the Governor's Law and Order Commission.

On motion of Senator Whichard, consideration of the bill is postponed until tomorrow, February 8.

H. B. 24, Committee Substitute for **H. B. 24**, a bill to amend Article 7 of Chapter 110 of the General Statutes, entitled "Day-Care Facilities" to provide changes in the definition of day care and to provide that the Commission shall have the power to seek injunctive relief, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 41, noes 1, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Soles, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 41.

Voting in the negative is: Senator Somers — 1.

The Committee Substitute bill is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 33, an act to correct an erroneous citation to the North Carolina Constitution.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:00 P.M.

TWENTIETH DAY

SENATE CHAMBER,
Tuesday, February 8, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we are grateful that Thou hast not dealt with us according to our sins, nor rewarded us according to our transgressions. Thou knowest our frame; Thou rememberest that we are dust. We confess our sins to Thee, and pray for Thy forgiveness; and pray too that we may forgive others as Thou hast forgiven us. For Thy name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Webster for today. A leave of absence previously granted to Senator Harrington is noted.

APPOINTMENT OF COMMITTEES

Changes in committee appointments are noted as follows:

LAW ENFORCEMENT AND CRIME CONTROL COMMITTEE: Senator Smith of New Hanover is appointed a Vice-Chairman.

INSURANCE COMMITTEE: Senator Palmer is added as a member.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 56, a bill to clarify provisions governing advertisement for creditors of estates of decedents, with a favorable report.

S. B. 77, a bill to repeal G. S. 14-344 which prevents the sale of athletic contest tickets in excess of printed price, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed of as follows:

By Senators Stallings, Alford, White, Lake, Winters, Wynne, Vickery, Marvin, Walker, Marion, Webster, Barnes, and Mathis:

S. B. 80, a bill providing for the adoption and use of tests to assure that high school graduates possess skills and knowledge necessary to function in society.

Referred to **Education Committee.**

By Senators Stallings, Lake, Winters, Wynne, Vickery, Walker, Marion, Webster, Alford, White, Barnes, and Mathis:

S. B. 81, a bill to provide for annual testing in the public schools in order to assess the effectiveness of the educational process.

Referred to **Education Committee.**

The following bills and resolutions are introduced:

By Senator White:

S. B. 82, a bill to be known as the North Carolina Commercial Fertilizer Law.

By Senator Childers:

S. B. 83, a bill to amend G. S. 95-87 by raising the state minimum wage to two dollars and thirty cents per hour.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 18, a bill to amend Chapter 163 of the General Statutes of North Carolina to authorize absentee ballots in county and municipal school board elections.

Referred to **Election Laws Committee.**

H. B. 41, a bill to amend Chapter 126, Session Laws of 1963, relating to elections for the Haywood County School System.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 49, a bill to authorize persons 17 years of age to vote in Presidential Preference Primary if they will be qualified to vote in the General Election.

Referred to **Election Laws Committee.**

H. B. 79, a bill to place Yadkin County under G. S. 14-111.2, relating to obtaining ambulance services without intending to pay.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 104, a bill to place Yadkin County under G. S. 44-51.8 relating to attachment or garnishment for ambulance service in certain counties.

Referred to **Local Government and Regional Affairs Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 62, a bill to establish the Governor's Crime Commission by amending and rewriting G. S. 143B-337 and renaming, restructuring and redefining the purposes of the Governor's Law and Order Commission.

Senator Whichard moves the adoption of Committee Amendment No. 1, and on his further motion, the bill with pending Amendment No. 1 is recommitted to the **State Government Committee.**

H. B. 9, a bill to amend Chapter 224 of the Private Laws, 1901, relating to the Charter of the Town of Ellenboro in Rutherford County, upon second reading.

The bill passes its second reading by roll-call vote, ayes — 46, noes — 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Whichard, White, Winters, and Wynne — 46.

The bill remains on the Calendar, upon third reading.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the Office of the Secretary of State:

H. B. 24, Committee Substitute for **H. B. 24**, an act to amend Article 7 inadequate support of illegitimate child by parents a misdemeanor.

H. B. 36, an act to amend Chapter 49 of the General Statutes to make of Chapter 110 of the General Statutes, entitled "Day-Care Facilities" to provide changes in the definition of day care and to prvoide that the Commission shall have the power to seek injunctive relief.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:00 P.M.

TWENTY-FIRST DAY

SENATE CHAMBER,
Wednesday, February 9, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

February 9, 1977

Prayer is offered by Dr. Leon Smith, Pastor of First Baptist Church, Goldsboro, as follows:

"Almighty God, Our Father, we pause in these moments to acknowledge Thee as Lord of life and the Supreme Sovereign in the affairs of men and nations.

"We thank Thee for this good and beautiful land in which we live and this our State of variety and opportunity.

"We thank Thee for these servants elected by the people to carry out the affairs of State and promote and insure the common good.

"We humbly confess our inadequacies and utter dependence upon Thee. We are neither wise enough nor good enough to mold the future of our people without Your wisdom and guidance.

"So grant in the deliberations of this day and days to come there be an obedient spirit of dependence upon Thee, The Great Source of all knowledge and truth.

"As we go through these winter weeks of hardship, grant us grace to endure and wisdom to realize how fragile indeed is life on planet Earth.

"May opinions give way to wisdom and prejudice to eternal and enduring principles.

"Give Thee Thy servants now — boldness to speak the truth — courage to make right and hard decisions — and willingness to learn from Thee and one another.

"May all we do bring glory and honor to Thee, O Lord our God. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Webster for today. A leave of absence granted previously to Senator Harrington is noted.

RULES OF THE SENATE

On motion of Senator Henley, an adjustment to Temporary Rule 40 of the Senate is adopted and reads as follows:

"Rule 40. **Introduction of bills.** — (a) Every bill filed for introduction shall contain on the outside cover the title of the document and the name of the Senator or Senators presenting it. Bills shall be delivered by the primary sponsor of the document or with the prescribed authorization form signed by the primary sponsor to the Office of the Senate Principal Clerk who shall receive them during regular session according to the following schedule:

Monday until 8:30 o'clock P.M.;

Tuesday, Wednesday, and Thursday until 4:00 o'clock P.M.;

Friday until 3:00 o'clock P.M.

All bills shall be numbered by the Office of the Principal Clerk when filed and shall be considered introduced when presented to the Senate on the next following legislative day for the first reading and reference to committee.

(b) Filing of bills during the interim shall be under the direction of the Rules and Operation of the Senate Committee as approved by the Senate."

APPOINTMENT OF COMMITTEES

Changes in committee appointments are noted as follows:

APPROPRIATIONS COMMITTEE ON EDUCATION: Senators Jordan and Lawing are added as members; Senator Barnes is removed.

APPROPRIATIONS COMMITTEE ON GENERAL GOVERNMENT AND TRANSPORTATION: Senator Alford is added as a member.

APPROPRIATIONS COMMITTEE ON HUMAN RESOURCES AND CORRECTIONS: Senator Barnes is added as a member; Senators Alford and White are removed.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Britt for the **Judiciary II Committee:**

S. B. 27, a bill to amend G. S. 7A-66 relating to the removal of district attorneys so as to clarify the authority of a superior court judge to dismiss a frivolous removal petition without conducting a hearing and to expand the time in which the court has to act from 15 to 30 days, with a favorable report.

S. B. 52, a bill to amend G. S. 143B-337 to provide for additional representation on the Governor's Law and Order Commission, without prejudice.

On motion of Senator Britt the rules are suspended and the bill is placed before the Senate for immediate consideration; and on his further motion postponed indefinitely.

H. B. 29, a bill to permit a physician or surgeon to perform a sterilization operation without consultation with another physician or surgeon, with a favorable report.

By Senator Raynor for the **Law Enforcement and Crime Control Committee:**

S. B. 59, a bill to amend Chapter 903 of the 1975 Session Laws to provide that agencies receiving funds as a result of the Law Enforcement Officers' Minimum Salary Act shall be required to fund a percentage of the minimum salaries specified by that Act, with an unfavorable report as to bill, favorable as to committee substitute bill, as amended.

On motion of Senator Raynor, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

By Senator Soles for the **Local Government and Regional Affairs Committee:**

S. B. 6, a bill to amend Chapter 4 of the 1971 Session Laws which requires that physicians and hospitals must report certain wounds, injuries and illnesses so that it will apply to Forsyth County, with a favorable report, as amended.

H. B. 37, a bill to amend Chapter 42 of the 1935 Public-Local Laws to authorize all those who serve as Junior Traffic Officers for the City of Wilmington and New Hanover County to participate in the annual outing, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Senator Soles, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

H. B. 57, a bill to change the terms of the Elizabeth City-Pasquotank Board of Education members to four years and to allow sixty days to fill vacancies, with a favorable report.

H. B. 109, a bill to abolish the Office of the Coroner in Currituck County, with a favorable report.

By Senator Whichard for the **State Government Committee:**

S. B. 62, a bill to establish the Governor's Crime Commission by amending and rewriting G. S. 143B-337 and renaming, restructuring and redefining the purposes of the Governor's Law and Order Commission, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Senator Whichard, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed of as follows:

By Senator White:

S. B. 82, a bill to be known as the North Carolina Commercial Fertilizer Law.

Referred to **Agriculture Committee.**

By Senator Childers:

S. B. 83, a bill to amend G. S. 95-87 by raising the state minimum wage to two dollars and thirty cents per hour.

Referred to the **Manufacturing, Labor and Commerce Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 56, a bill to clarify provisions governing advertisement for creditors of estates of decedents.

On motion of Senator Allsbrook, consideration of the bill is postponed until Thursday, February 10.

S. B. 59, Committee Substitute for S. B. 59, a bill to amend Chapter 903 of the 1975 Session Laws to provide that agencies receiving funds as a result of the Law Enforcement Officers' Minimum Salary Act shall be required to fund a percentage of the minimum salaries specified by that Act.

On motion of Senator Raynor, the Committee Substitute bill is adopted.

The Committee Substitute bill remains on the Calendar.

S. B. 62, Committee Substitute for S. B. 62, a bill to establish the Governor's Crime Commission by amending and rewriting G. S. 143B-337 and renaming, restructuring and redefining the purposes of the Governor's Law and Order Commission.

On motion of Senator Whichard, the Committee Substitute bill is adopted.

The Committee Substitute bill remains on the Calendar.

S. B. 77, a bill to repeal G. S. 14-344 which prevents the sale of athletic contest tickets in excess of printed price.

The bill fails to pass its second reading.

H. B. 9, a bill to amend Chapter 224 of the Private Laws, 1901, relating to the Charter of the Town of Ellenboro in Rutherford County, upon third reading.

The bill passes its third reading by roll-call vote, ayes 47, noes — 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Whichard, White, Winters, and Wynne — 47.

The bill is ordered enrolled.

H. B. 37, Senate Committee Substitute for H. B. 37, a bill to repeal Chapter 42 of the 1935 Public-Local Laws relating to junior traffic officers for the City of Wilmington and New Hanover County.

On motion of Senator Soles, the Committee Substitute bill is adopted.
The Committee Substitute bill remains on the Calendar.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:00 P.M.

TWENTY-SECOND DAY

SENATE CHAMBER,
Thursday, February 10, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, for another day, and another opportunity to serve our fellow human beings, we offer our thanksgiving. In gratitude we would join the poet in his prayer when he said:

'Thy love divine hath led us in the past;
In this free land, by Thee our lot is cast;
Be Thou our ruler, guardian, guide and stay,
Thy word our law, Thy paths our chosen way.' Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators McDuffie and Harrington for today and to Senators Harrington, Sharpe, and Somers for tomorrow, February 11.

APPOINTMENT OF COMMITTEES

Changes in committee appointments are noted as follows:

WILDLIFE COMMITTEE: Senator White is removed as a member.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hill for the **Constitutional Amendments Committee:**

S. B. 43, a bill to amend the Constitution of North Carolina to permit a surviving spouse of either sex to receive the benefit of the Homestead Exemption, with a favorable report, as amended.

S. B. 44, a bill to permit a surviving spouse of either sex to receive the benefit of the Homestead Exemption, with a favorable report.

By Senator Britt for the **Judiciary II Committee:**

S. B. 24, a bill to amend G. S. 14-269.1 by deleting the authority of a judge to order the weapon turned over to a law enforcement agency for use by the agency, with a favorable report.

S. B. 29, a bill to amend G. S. 15A-1002 relating to the determination of a criminal defendant's incapacity to proceed so as to protect the confidentiality of the medical report and assure the physician-patient privilege, with a favorable report.

By Senator Childers for the **Manufacturing, Labor and Commerce Committee:**

S. B. 75, a bill to amend Chapter 96 of the General Statutes known as the Employment Security Law offsetting retiree's benefits and disqualifying claimants who voluntarily leave their job, are discharged for misconduct or who refuse to accept suitable work until they return to employment and requalify for benefits, with a favorable report, as amended.

By Senator Henley for the **Rules and Operation of the Senate Committee:**

S. J. R. 21, a Joint Resolution creating a special commission to complete the Legislative Research Commission Study of the feasibility of constructing and financing in North Carolina upon a self-supporting basis or otherwise an indoor sports facility, with a favorable report, as amended.

S. B. 51, a bill to establish a Joint Legislative Commission on Intergovernmental Relations, with a favorable report.

On motion of Senator Henley, the bill is re-referred to the **Appropriations Committee.**

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed of as follows:

By Senators Mathis, Winters, and Sebo:

S. B. 84, a bill to clarify, consolidate and modernize the Law of Sexual Assaults.

Referred to **Judiciary II Committee.**

By Senator Stallings:

S. B. 85, a bill to transfer the State Ports Authority and the Navigation and Pilotage Commissions to the Department of Commerce and to amend G. S. 143-216 relating to the creation, membership, appointment and terms of the State Ports Authority and to amend G. S. 143-218 relating to personnel employed by the State Ports Authority.

Referred to **State Government Committee.**

By Senators Winters, Wynne, and Lake:

S. B. 86, a bill to amend Chapter 346, Session Laws of 1973 to authorize the Raleigh Redevelopment Commission to permit disposition of land for a special purpose at fair market value without competitive bidding; to permit disposition of land on the basis other than the highest monetary bid where such disposition is found to serve the best interest of the municipality and to dispose of property at private sale.

Referred to **Local Government Committee.**

By Senator Somers:

S. B. 87, a bill to provide prejudgment interest in tort actions.

Referred to **Judiciary II Committee.**

By Senators Hill and Palmer:

S. B. 88, a bill to amend G. S. 7A-69 to provide an investigatorial assistant to the District Attorney in the 30th Judicial District.

Referred to **Courts and Judicial Districts Committee.**

By Senator Hill:

S. B. 89, a bill to provide assistance to counties for improvement of land records.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Hill:

S. B. 90, a bill to establish standards for land parcel identifier numbers and to authorize the creation and maintenance of land records indexes by parcel identifier numbers.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Hill:

S. B. 91, a bill to establish a land records management program in the Department of Administration.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Garrison:

S. B. 92, a bill to amend the Charter of the City of Locust.

Referred to **Local Government and Regional Affairs Committee.**

By Senators Crawford, Swain, Marvin, and Palmer:

S. B. 93, a bill to provide compensation for children suffering school bus injuries which are not otherwise sufficiently compensable by law.
Referred to **Education Committee.**

By Senator Smith of Guilford:

S. B. 94, a bill to exempt food from sales tax.
Referred to **Finance Committee.**

By Senator Smith of Guilford:

S. B. 95, a bill to amend the Individual Income Tax Act to provide a credit against income tax for sales and use tax paid on food.
Referred to **Finance Committee.**

By Senator Smith of Guilford:

S. B. 96, a bill to increase the inheritance tax exemption applicable to surviving spouses to twenty thousand dollars.
Referred to **Finance Committee.**

By Senator Smith of Guilford:

S. B. 97, a bill to eliminate the one hundred twenty dollar ($120.00) tax limit upon those articles presently subject to sales and use tax at a rate of two percent (2%).
Referred to **Finance Committee.**

By Senator Smith of Guilford:

S. B. 98, a bill to remove the eighty dollar sales and use tax limitation on mill machinery and other articles taxed at one percent.
Referred to **Finance Committee.**

By Senator Smith of Guilford:

S. B. 99, a bill to decrease the cigarette stamp discount to one-tenth of a cent.
Referred to **Finance Committee.**

By Senator Smith of Guilford:

S. B. 100, a bill to amend G. S. 105-113.86(h) by substituting three percent for the figure four percent.
Referred to **Finance Committee.**

By Senator Smith of Guilford:

S. B. 101, a bill to revise the tax rate on that portion of individual net taxable incomes exceeding twenty thousand dollars.
Referred to **Finance Committee.**

By Senator Smith of Guilford:

S. B. 102, a bill to revise the interest rate on tax assessments.
Referred to **Finance Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 43, a bill to ratify the Equal Rights Amendment to the Constitution of the United States of America relating to equal rights for men and women.
Referred to **Constitutional Amendments Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 6, a bill to amend Chapter 4 of the 1971 Session Laws which requires that physicians and hospitals must report certain wounds, injuries and illnesses so that it will apply to Forsyth County.
On motion of Senator Davis, Committee Amendments Nos. 1 and 2 are adopted.
Pursuant to Senate Rule 25(b)(2) the bill passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 27, a bill to amend G. S. 7A-66 relating to the removal of district attorneys so as to clarify the authority of a superior court judge to dismiss a frivolous removal petition without conducting a hearing and to expand the time in which the court has to act from 15 to 30 days.
The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 56, a bill to clarify provisions governing advertisement for creditors of estates of decedents.
On motion of Senator Allsbrook, consideration of the bill is postponed until Wednesday, February 16.

S. B. 59, Committee Substitute for **S. B. 59**, a bill to amend Chapter 903 of the 1975 Session Laws to provide that agencies receiving funds as a result of the Law Enforcement Officers' Minimum Salary Act shall be required to fund a percentage of the minimum salaries specified by that Act.
On motion of Senator Raynor, Committee Amendment No. 1 is adopted, and on his further motion the Committee Substitute bill, as amended, is re-referred to the **Appropriations Committee.**

S. B. 62, Committee Substitute for **S. B. 62**, a bill to establish the Governor's Crime Commission by amending and rewriting G. S. 143B-337 and

renaming, restructuring and redefining the purposes of the Governor's Law and Order Commission.

Senator Somers offers Amendment No. 1 which he subsequently withdraws.

The Committee Substitute bill passes its second and third readings and is sent to the House of Representatives.

H. B. 29, a bill to permit a physician or surgeon to perform a sterilization operation without consultation with another physician or surgeon.

The bill passes its second and third readings and is ordered enrolled.

H. B. 37, Senate Committee Substitute for **H. B. 37**, a bill to repeal Chapter 42 of the 1935 Public-Local Laws relating to junior traffic officers for the City of Wilmington and New Hanover County.

The Senate Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 57, a bill to change the terms of the Elizabeth City-Pasquotank Board of Education members to four years and to allow sixty days to fill vacancies.

The bill passes its second and third readings and is ordered enrolled.

H. B. 109, a bill to abolish the Office of the Coroner in Currituck County.

Senator Daniels offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 9, a bill to amend Chapter 224 of the Private Laws, 1901, relating to the Charter of the Town of Ellenboro in Rutherford County.

On motion of Senator Hardison, the Senate adjourns to meet tomorrow at 10:00 A.M.

TWENTY-THIRD DAY

SENATE CHAMBER,
Friday, February 11, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, as we go about our responsibilities today, help us to remember that we are not only in the presence of our colleagues, but also in Thy presence; and that it is our duty not to serve our constituents, but to serve Thee. May what we do be worthy of that sacred privilege. For Thy name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Whichard and McDuffie for today and to Senator Rauch for the week of February 14-18. Leaves of absence granted previously to Senators Harrington, Somers, and Sharpe are noted.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed of as follows:

By Senator Totherow:

S. B. 103, a bill to provide that a minor may use a driver's license as verification of age for an employment certificate.
Referred to **Manufacturing, Labor and Commerce Committee.**

By Senator Popkin:

S. J. R. 104, a joint resolution creating a commission to study the feasibility of establishing a Sea World in Onslow County, North Carolina.
Referred to **Rules and Operation of the Senate Committee.**

By Senator Smith of Guilford:

S. B. 105, a bill to require corporations to make declarations of estimated income tax and installment payments of estimated income tax.
Referred to **Finance Committee.**

By Senators White and Allsbrook:

S. B. 106, a bill to modify the method of selection of members of the Greenville City Board of Education.
Referred to **Local Government and Regional Affairs Committee.**

By Senator Davis:

S. B. 107, a bill to amend Article 6 of Chapter 53 relating to banks to provide for legal banking holidays.
Referred to **Banking Committee.**

By Senator Davis:

S. B. 108, a bill to amend Chapter 1057 of the Session Laws of 1973 so as to make permanent the provisions of G. S. 20-7(f), regarding the elimination of road and written tests for safe drivers applying for renewal of chauffeur's license.

Referred to **Law Enforcement and Crime Control Committee.**

By Senator Davis:

S. B. 109, a bill to amend Chapter 135 of the General Statutes to provide for the inclusion of employees of the North Carolina Art Society in the Teachers' and State Employees' Retirement System.

Referred to **State Government Committee.**

By Senators Smith of Guilford, Speed, Sebo, Alexander, Marvin, Scott, and Winters:

S. B. 110, a bill to regulate the use of steeljaw or leghold traps for capturing animals or birds in North Carolina.

Referred to **Wildlife Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 82, a bill to authorize absentee ballots in the election for members of the County Board of Education in the Counties of Jackson, Madison and Swain.

Referred to **Election Laws Committee.**

H. B. 118, a bill to amend G. S. 55B-2 so as to include registered foresters under the provisions of the Professional Corporation Act.

Referred to **Judiciary II Committee.**

H. B. 121, a bill to amend Chapter 391, Session Laws of 1963 to provide that members of the New Hanover County Board of Education shall take office in December next after their election.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 161, a bill to amend Section 135-33 of the General Statutes relating to medical and disability benefits for teachers and state employees as recommended by the Legislative Research Commission's Committee on Retirement Systems Matters.

Referred to **State Government Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. J. R. 21, a Joint Resolution creating a special commission to complete the Legislative Research Commission Study of the feasibility of constructing and financing in North Carolina upon a self-supporting basis or otherwise an indoor sports facility.

On motion of Senator Allsbrook, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 24, a bill to amend G. S. 14-269.1 by deleting the authority of a judge to order the weapon turned over to a law enforcement agency for use by the agency.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 29, a bill to amend G. S. 15A-1002 relating to the determination of a criminal defendant's incapacity to proceed so as to protect the confidentiality of the medical report and assure the physician-patient privilege.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 43, a bill to amend the Constitution of North Carolina to permit a surviving spouse of either sex to receive the benefit of the Homestead Exemption, upon second and third readings.

On motion of Senator Hill, Committee Amendments No. 1 and No. 2 are adopted.

On motion of Senator Rauch, the bill, as amended, is re-referred to the Finance Committee.

S. B. 44, a bill to permit a surviving spouse of either sex to receive the benefit of the Homestead Exemption.

On motion of Senator Hill, the bill is re-referred to the Finance Committee.

S. B. 75, a bill to amend Chapter 96 of the General Statutes known as the Employment Security Law offsetting retiree's benefits and disqualifying claimants who voluntarily leave their job, are discharged for misconduct or who refuse to accept suitable work until they return to employment and requalify for benefits.

On motion of Senator Childers, consideration of the bill is postponed until Monday, February 14.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 15, an act to amend Chapter 1057 of the Session Laws of 1973 so as to make permanent the provisions of G. S. 20-7(f), regarding the elimination of road and written tests for safe drivers applying for renewal of operator's license.

H. B. 29, an act to permit a physician or surgeon to perform a sterilization operation without consultation with another physician or surgeon.

H. B. 57, an act to change the terms of the Elizabeth City-Pasquotank Board of Education members to four years and to allow sixty days to fill vacancies.

On motion of Senator Hardison, the Senate adjourns to meet Monday at 7:00 P.M.

TWENTY-FOURTH DAY

SENATE CHAMBER,
Monday, February 14, 1977

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we turn to Thee again for direction as we meet here tonight. Give us the courage to stand for the right, even if we must stand alone; to put aside all inherited prejudices; and to seek for all Thy children the good things of life which we are privileged to enjoy. For Thy name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of Friday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Crawford and Alexander for tonight and to Senator Lake for tomorrow, February 15. A leave of absence previously granted to Senator Rauch is noted.

S. J. R. 104, a Joint Resolution creating a commission to study the feasibility of establishing a Sea World in Onslow County, North Carolina.

On motion of Senator Popkin the rules are suspended and the joint resolution is taken from the **Rules Committee** and re-referred to **Natural and Economic Resources Committee.**

The President recognizes the following pages serving in the Senate this week: Margie Ballard, New Bern; Denise Brewer, Faison; David Cecelski, Havelock; Janet Clontz, Morganton; Deidre Davidson, Fayetteville; Paige Dosser, Wadesboro; Gayle Flannagan, Farmville; Jeff Garris, Smithfield; Bill Johnson, Raleigh; Holly Jones, Asheboro; Angela Joyner, Lillington; Cam Mills, Raleigh; Scott Mills, Raleigh; Kelly Myers, Fayetteville; Jeff Nance, Raleigh; Denise Newby, Newport; Debbie Rouse, Kinston; Angela

Shaw, Winston-Salem; Susan Terry, Fayetteville; Smith Turner, Charlotte; and Cleve Zahner, Newton.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed of as follows:

By Senator Renfrow:

S. J. R. 111, a joint resolution urging the Employment Security Commission to issue Form 1099 information returns to recipients of unemployment compensation.

Referred to **Finance Committee.**

By Senator Swain:

S. B. 112, a bill to amend Chapter 936 of the 1963 Session Laws clarifying the duties of the members of the Buncombe County Board of Commissioners.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Totherow:

S. B. 113, a bill to amend G. S. 130-166.18 relating to solid waste disposal.

Referred to **Local Government and Regional Affairs Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 25, a bill to amend G. S. 1-84 to provide for removal of a civil cause to any adjacent county, any county in the same judicial district, or any county in the adjacent judicial district if the same is necessary to ensure a fair trial, for concurrence in the House amendment which is placed on the Calendar for tomorrow, February 15.

H. B. 11, Committee Substitute for **H. B. 11**, a bill to prevent the annexation of territory within Brunswick County under the procedures of Part 2 of Article 4A of Chapter 160A.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 150, Committee Substitute for **H. B. 150**, a bill to transfer the Energy Division and the Energy Policy Council from the Department of Military and Veterans Affairs to the Department of Commerce.

Referred to **State Government Committee.**

H. B. 156, a bill to authorize the Alcoholic Beverage Control Board of Durham County to expend up to twenty percent of total profits for law enforcement.

Referred to **Alcoholic Beverage Control Committee.**

H. B. 177, a bill to provide that no bond shall be required of the personal representative if all of the heirs agree to waive bond or if the personal representative is the sole heir or devisee.

Referred to **Judiciary II Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 75, a bill to amend Chapter 96 of the General Statutes known as the Employment Security Law offsetting retiree's benefits and disqualifying claimants who voluntarily leave their job, are discharged for misconduct or who refuse to accept suitable work until they return to employment and requalify for benefits.

On motion of Senator Childers, the bill is recommitted to **Manufacturing, Labor and Commerce Committee.**

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:00 P.M.

TWENTY-FIFTH DAY

SENATE CHAMBER,
Tuesday, February 15, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we can think of more secure and comfortable periods of history in which to live, but we are grateful for the privilege of living and serving at this time in history when anything we do that is good means so much to so many. May the crises of our time call forth the best that is in us all. And to Thee shall be the praise. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Lawing and Crawford for today and to Senator Crawford for tomorrow, February 16. Leaves granted previously to Senators Rauch and Lake are noted.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Allsbrook for **Judiciary I Committee:**

S. B. 66, a bill to amend various statutes regarding the administration of decedents' estates, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Senator Allsbrook, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

H. B. 47, a bill to delete the provision in G. S. 18A-56 that makes it a misdemeanor to violate a rule of the ABC Board, with a favorable report, as amended.

By Senator Britt for **Judiciary II Committee:**

S. B. 42, a bill to amend G. S. Chapter 35 relating to mental diseases and incompetents to remove sex discrimination, with a favorable report.

By Senator Combs for **Wildlife Committee:**

H. B. 113, a bill prohibiting the discharge of firearms on or across any highway in Ashe County, with a favorable report.

H. B. 114, a bill to amend the Session Laws of 1967 to provide for the enforcement of the Alleghany County Local Firearms Act, with a favorable report.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 81, a bill to amend G. S. 20-179 to provide that the presiding judge of the superior court may receive limited driving privilege applications.

Referred to **Judiciary II Committee.**

H. B. 152, Committee Substitute for **H. B. 152,** a bill to permit the County Commissioners of Currituck County to appoint the Currituck County Board of Alcoholic Control.

Referred to **Alcoholic Beverage Control Committee.**

H. B. 153, Committee Substitute for **H. B. 153,** a bill to provide procedures for persons entitled to vote absentee ballots pursuant to G. S. 163-245 to vote in person under certain conditions.

Referred to **Election Laws Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 25, a bill to amend G. S. 1-84 to provide for removal of a civil cause to any adjacent county, any county in the same judicial district, or any county in the adjacent judicial district if the same is necessary to ensure a fair trial, for concurrence in the House amendment.

On motion of Senator Britt, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 66, Committee Substitute for S. B. 66, a bill to amend various statutes regarding the administration of decedents' estates.

On motion of Senator Allsbrook, the Committee Substitute bill is adopted.

The Committee Substitute bill remains on the Calendar.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 49, an act to extend Ticket Scalping Law to include musical concerts.

S. B. 62, Committee Substitute for S. B. 62, an act to establish the Governor's Crime Commission by amending and rewriting G. S. 143B-337 and renaming, restructuring and redefining the purposes of the Governor's Law and Order Commission.

H. B. 109, an act to abolish the Office of the Coroner in Currituck County.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:00 P.M.

TWENTY-SIXTH DAY

SENATE CHAMBER,
Wednesday, February 16, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Reverend Edward J. Agsten, Retired Pastor of West Raleigh Presbyterian Church, Raleigh, as follows:

"Eternal God, our Heavenly Father, we come before You acknowledging that You are our Creator, our Preserver, and our Benefactor. We praise Your great and Holy Name.

"We come in praise and in adoration. Praise waiteth.

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"We come in confession. We are weak; we are mortal; we are simple. Thanks be to Thee that Thou dost love us and do forgive us our sins of omission as well as commission.

"We come in petition. There are many things we would ask of Thee but our minds just now are focused on the decisions that belong to these Thy servants today — so we ask for a sense of privilege and responsibility, wisdom to make right decisions, a depth of perception to understand what is right in Your eyes, and courage to do that which is pleasing to You to the end that we may have a better State and nation under Your guidance and blessing.

"In the name of our Blessed Savior, Jesus Christ. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Garrison, Vickery, and Winters for today. Senator Garrison is excused to be sworn in as a member of the North Carolina State Board of Transportation. Leaves of absence granted previously to Senators Rauch and Crawford are noted.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator McDuffie for the **Election Laws Committee:**

H. B. 49, a bill to authorize persons 17 years of age to vote in Presidential Preference Primary if they will be qualified to vote in the General Election, with a favorable report.

By Senator Raynor for the **Law Enforcement and Crime Control Committee:**

S. B. 108, a bill to amend Chapter 1057 of the Session Laws of 1973 so as to make permanent the provisions of G. S. 20-7(f), regarding the elimination of road and written tests for safe drivers applying for renewal of chauffeur's license, with a favorable report, as amended.

By Senator Soles for the **Local Government and Regional Affairs Committee:**

S. B. 92, a bill to amend the Charter of the City of Locust, with a favorable report.

S. B. 112, a bill to amend Chapter 936 of the 1963 Session Laws clarifying the duties of the members of the Buncombe County Board of Commissioners,

with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Senator Soles the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

H. B. 41, a bill to amend Chapter 126, Session Laws of 1963, relating to elections for the Haywood County School System, with a favorable report.

H. B. 79, a bill to place Yadkin County under G. S. 14-111.2, relating to obtaining ambulance services without intending to pay, with a favorable report, as amended.

H. B. 84, a bill to amend the Charter of the Town of Pikeville, Chapter 108, Private Laws 1891, to provide for the election of the mayor and members of the Board of Commissioners for terms of four years, with a favorable report.

H. B. 104, a bill to place Yadkin County under G. S. 44-51.8 relating to attachment or garnishment for ambulance service in certain counties, with a favorable report, as amended.

By Senator Whichard for the **State Government Committee:**

S. B. 70, a bill to transfer the Energy Division and the Energy Policy Council from the Department of Military and Veterans Affairs to the Department of Commerce, without prejudice.

H. B. 161, a bill to amend Section 135-33 of the General Statutes relating to medical and disability benefits for teachers and state employees as recommended by the Legislative Research Commission's Committee on Retirement Systems Matters, with a favorable report, as amended.

H. B. 150, Committee Substitute for **H. B. 150,** a bill to transfer the Energy Division and the Energy Policy Council from the Department of Military and Veterans Affairs to the Department of Commerce, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed of as follows:

By Senator Vickery:

S. B. 114, a bill to require motor vehicles to be equipped with exhaust systems which are in good working order and free from gross defects.

Referred to **Judiciary II Committee.**

By Senator Somers:

S. B. 115, a bill to amend Chapter 163 of the General Statutes to provide for a ballot on which a voter may indicate opposition to a candidate by giving the voter a choice of "None of the Above" in Primary and General

Elections for candidates in national, state, district elections and elections for members of the General Assembly.

Referred to **Election Laws Committee.**

By Senators Renfrow and Stallings:

S. B. 116, a bill to allow licensed plumbing and heating contractors to perform electrical work in the installation and maintaining of plumbing and heating systems.

Referred to **Manufacturing, Labor, and Commerce Committee.**

By Senators Daniels, Harrington, Britt, Barnes, Kincaid, and Totherow:

S. B. 117, a bill to improve the status and effectiveness of magistrates in the North Carolina System of Justice, to establish a salary classification plan for magistrates and to make an appropriation therefor.

Referred to **Courts and Judicial Districts Committee:**

By Senator Barnes:

S. B. 118, a bill to amend G. S. 47-108.11 relating to validation of recorded instruments where seals have been omitted.

Referred to **Judiciary I Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 162, a bill to amend the Charter of the City of Wilson.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 173, a bill to amend Chapter 96 of the General Statutes known as the Employment Security Law offsetting retiree's benefits and disqualifying claimants who voluntarily leave their job, are discharged for misconduct or who refuse to accept suitable work until they return to employment and requalify for benefits.

Referred to **Manufacturing, Labor, and Commerce Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 42, a bill to amend G. S. Chapter 35 relating to mental diseases and incompetents to remove sex discrimination.

Senator Sebo offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 56, a bill to clarify provisions governing advertisement for creditors of estates of decedents.

On motion of Senator Allsbrook, consideration of the bill is postponed until tomorrow, February 17.

S. B. 66, Committee Substitute for S. B. 66, a bill to amend various statutes regarding the administration of decedents' estates.

On motion of Senator Allsbrook, consideration of the Committee Substitute bill is postponed until tomorrow, February 17.

S. B. 112, Committee Substitute for S. B. 112, a bill to amend Chapter 936 of the 1963 Session Laws clarifying the duties of the members of the Buncombe County Board of Commissioners.

On motion of Senator Soles, the Committee Substitute bill is adopted.

The Committee Substitute bill remains on the Calendar.

H. B. 47, a bill to delete the provision in G. S. 18A-56 that makes it a misdemeanor to violate a rule of the ABC Board.

On motion of Senator Allsbrook, the Committee amendment is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 113, a bill prohibiting the discharge of firearms on or across any highway in Ashe County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 114, a bill to amend the Session Laws of 1967 to provide for the enforcement of the Alleghany County Local Firearms Act.

The bill passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 25, an act to amend G. S. 1-84 to provide for removal of a civil cause to any adjacent county, any county in the same judicial district, or any county in the adjacent judicial district if the same is necessary to ensure a fair trial.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:00 P.M.

TWENTY-SEVENTH DAY

SENATE CHAMBER,
Thursday, February 17, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, help us to remember that the Creator of this universe — a universe too tremendous and too complex for our minds to comprehend — is also our Father, more anxious to grant our requests than we are to make them. May we therefore come before Thee, not only with awe and wonder but with confidence and thanksgiving. In Thy Name we pray. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Winters for today and to Senators White and Swain for tomorrow, February 18. A leave of absence granted previously to Senator Crawford is noted.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Lawing for the **Banking Committee:**

S. B. 107, a bill to amend Article 6 of Chapter 53 relating to banks to provide for legal banking holidays, with a favorable report, as amended.

By Senator Childers for the **Manufacturing, Labor, and Commerce Committee:**

S. B. 75, a bill to amend Chapter 96 of the General Statutes known as the Employment Security Law offsetting retiree's benefits and disqualifying claimants who voluntarily leave their job, are discharged for misconduct or who refuse to accept suitable work until they return to employment and requalify for benefits, without prejudice.

H. B. 173, a bill to amend Chapter 96 of the General Statutes known as the Employment Security Law offsetting retiree's benefits and disqualifying claimants who voluntarily leave their job, are discharged for misconduct or who refuse to accept suitable work until they return to employment and requalify for benefits, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed of as follows:

By Senator Soles:

S. B. 119, a bill to authorize the trial court to consider visitation privileges in sentencing under G. S. 14-322.
Referred to **Judiciary II Committee.**

By Senator Garrison:

S. B. 120, a bill to appropriate funds to establish regional education centers for children with special needs.
Referred to **Appropriations Committee.**

By Senator Lawing:

S. B. 121, a bill to authorize electronically modulated headlamps on motorcycles and emergency vehicles.
Referred to **Judiciary II Committee.**

By Senator Sharpe:

S. B. 122, a bill to amend Chapter 546 of the Session Laws of 1963, to determine the distribution of certain income from the beverage control stores of the Town of Granite Falls.
Referred to **Local Government and Regional Affairs Committee.**

By Senator Totherow:

S. B. 123, a bill to extend the expiration date of the Fair Access Insurance Plan from December 31, 1977, to December 31, 1980.
Referred to **Insurance Committee.**

By Senators Totherow and White:

S. B. 124, a bill to amend G. S. 58-63 concerning schedule of fees and charges to be collected by the Commissioner of Insurance.
Referred to **Insurance Committee.**

By Senators Marion, Walker, Barnes, Childers, Jordan, McDuffie, Lake, Combs, Renfrow, White, and Sharpe:

S. B. 125, a bill to amend G. S. 7A-41 to authorize additional resident superior court judges and assistant district attorneys in various judicial districts.
Referred to **Courts and Judicial Districts Committee.**

By Senators Marion, Whichard, Walker, Combs, Barnes, Palmer, Childers, Jordan, McDuffie, Lake, White, Renfrow, and Sharpe:

S. B. 126, a bill to amend G. S. 7A-16 to increase the number of judges of the Court of Appeals from nine judges to twelve judges.
Referred to **Courts and Judicial Districts Committee.**

February 17, 1977

By Senators Marion, Childers, Sharpe, Daniels, Swain, Rauch, Lawing, Walker, Renfrow, Combs, Marvin, Lake, Ballenger, Totherow, and Whichard:

S. J. R. 127, a joint resolution expressing disapproval of permitting PG, R or X-rated motion pictures to be previewed during the screening of a G-rated motion picture.

Referred to **Rules and Operation of the Senate Committee.**

By Senator Somers:

S. B. 128, a bill to rewrite G. S. 20-140.4 to eliminate the requirement that helmets be worn on motorcycles.

Referred to **Judiciary I Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 69, a bill to prevent facilitation of the unlawful taking of deer with the aid of boats by means of placing a restriction upon the possession of firearms aboard motor-propelled vessels in the Meherrin River in a certain designated location.

Referred to **Wildlife Committee.**

H. B. 103, a bill to regulate hunting of European wild boar in Avery, Burke, Caldwell and Watauga Counties.

Referred to **Wildlife Committee.**

H. B. 136, a bill to clarify the penalties for evasion of property taxes.

Referred to **Judiciary II Committee.**

H. B. 147, a bill to amend Chapter 343 of the 1975 Session Laws, relating to hunting deer with rifles in Johnston County, so as to make its provisions applicable to Wayne County.

Referred to **Wildlife Committee.**

H. B. 168, a bill to authorize the Board of County Commissioners of Onslow County to fix the compensation of the members and the Chairman of the Onslow County Board of Education.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 172, a bill to amend Chapter 92, Private Laws of 1919, relating to the term and appointment of members of the Board of Trustees of the Kinston Grade School District.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 181, a bill repealing Article 32 of Chapter 106 of the General Statutes, relating to linseed oil.

Referred to **Agriculture Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 56, a bill to clarify provisions governing advertisement for creditors of estates of decedents.

On motion of Senator Allsbrook, consideration of the bill is postponed indefinitely.

S. B. 66, Committee Substitute bill for **S. B. 66**, a bill to amend various statutes regarding the administration of decedents' estates.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 70, a bill to transfer the Energy Division and the Energy Policy Council from the Department of Military and Veterans Affairs to the Department of Commerce.

On motion of Senator Hardison, consideration of the bill is postponed until tomorrow, February 18.

S. B. 92, a bill to amend the Charter of the City of Locust, upon second reading.

The bill passes its second reading by roll-call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, and Wynne — 46.

The bill remains on the Calendar upon third reading.

S. B. 108, a bill to amend Chapter 1057 of the Session Laws of 1973 so as to make permanent the provisions of G. S. 20-7(f), regarding the elimination of road and written tests for safe drivers applying for renewal of chauffeur's license.

On motion of Senator Davis, the Committee amendment is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 112, Committee Substitute bill for S. B. 112, a bill to amend Chapter 936 of the 1963 Session Laws clarifying the duties of the members of the Buncombe County Board of Commissioners.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 41, an act to amend Chapter 126, Session Laws of 1963, relating to elections for the Haywood County School System, upon second reading.

The bill passes its second reading by roll-call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, and Wynne — 46.

The bill remains on the Calendar upon third reading.

H. B. 49, a bill to authorize persons 17 years of age to vote in Presidential Preference Primary if they will be qualified to vote in the General Election.

The bill passes its second and third readings and is ordered enrolled.

H. B. 79, a bill to place Yadkin County under G. S. 14-111.2, relating to obtaining ambulance services without intending to pay.

On motion of Senator Soles, the bill is recommitted to the **Local Government and Regional Affairs Committee.**

H. B. 84, a bill to amend the Charter of the Town of Pikeville, Chapter 108, Private Laws 1891, to provide for the election of the mayor and members of the Board of Commissioners for terms of four years.

The bill passes its second and third readings and is ordered enrolled.

H. B. 104, a bill to place Yadkin County under G. S. 44-51.8 relating to attachment or garnishment for ambulance service in certain counties.

On motion of Senator Soles, the bill is recommitted to the **Local Government and Regional Affairs Committee.**

H. B. 150, Committee Substitute for **H. B. 150,** a bill to transfer the Energy Division and the Energy Policy Council from the Department of Military and Veterans Affairs to the Department of Commerce.

On motion of Senator Hardison, consideration of the Committee Substitute bill is postponed until tomorrow, February 18.

H. B. 161, a bill to amend Section 135-33 of the General Statutes relating to medical and disability benefits for teachers and state employees as recommended by the Legislative Research Commission's Committee on Retirement Systems Matters.

On motion of Senator Whichard, consideration of the bill is postponed until tomorrow, February 18.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 113, an act prohibiting the discharge of firearms on or across any highway in Ashe County.

H. B. 114, an act to amend the Session Laws of 1967 to provide for the enforcement of the Alleghany County Local Firearms Act.

On motion of Senator Henley, the Senate adjourns in honor of the Honorable Julian R. Allsbrook of Halifax County, Dean of the Senate, celebrating his birthday today, to meet tomorrow at 10:00 A.M.

TWENTY-EIGHTH DAY

SENATE CHAMBER,
Friday, February 18, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Ronald F. Murray, Pastor, Olive Chapel Baptist Church, Apex, as follows:

"Our Father, at the beginning of this day's proceedings, we pause to pray, realizing our need of Your power, and purpose, and presence in our lives.

"For the bountiful blessings of life, we express our thanks. For the frequent sins which we have committed, we beg your forgiveness. For the many decisions which we must make, we seek Your wisdom and courage. For the many opportunities before us today, we ask that You would use us for Your glory.

"O Lord, do bless each legislator this morning. Remind them of the high calling which is theirs, and the level of responsibility which has been entrusted to them. Grant to them a clear understanding and application of life's basic values, principles, and objectives, without which a person, state or nation cannot long endure.

"Save us, O God, from the dangerous illusions that we are perfectly good, or that we are totally evil. Rather, with a realistic appraisal of ourselves, remind us that we are made in Your image and commanded to share Your love every day.

"Thus, at the beginning of this new day, show us how to love others, even as you loved us.

"In Your Holy Name we pray. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Harris, Mathis, and Winters for today. Leaves of absence granted previously to Senators Crawford, Swain, and White are noted.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed of as follows:

By Senators Totherow, and Smith of New Hanover:

S. B. 129, a bill to make Indochina refugees eligible for in-state tuition status.

Referred to **Higher Education Committee.**

By Senator Sharpe:

S. B. 130, a bill to amend Chapter 7A of the General Statutes and to add magistrates in Watauga County.

Referred to **Courts and Judicial Districts Committee.**

By Senator Davis:

S. B. 131, a bill to amend the Aid to Families with Dependent Children Program set forth in Chapter 108 of the General Statutes to mandate that persons receiving AFDC register and accept reasonable employment, to provide for public service employment priority and to provide for volunteer employment programs for persons receiving AFDC.

Referred to **Human Resources Committee.**

By Senators Kincaid and Sharpe:

S. B. 132, a bill to provide for one additional assistant district attorney in the Twenty-Fourth Judicial District.

Referred to **Courts and Judicial Districts Committee.**

By Senators Stallings, Lake, Webster, Renfrow, Childers, Allsbrook, Walker, and Marvin:

S. B. 133, a bill to provide for the recording and indexing of chattel mortgages made by public utilities.

Referred to **Judiciary I Committee.**

By Senators Davis, Garrison, and Jordan:

S. B. 134, a bill to amend Chapter 58 of the General Statutes to prevent insurance premium charges for private automobiles based on traffic offenses committed by operators of commercial vehicles.

Referred to **Insurance Committee.**

By Senator Davis:

S. B. 135, a bill to create the North Carolina Bee and Honey Act of 1977.

Referred to **Agricultural Committee.**

By Senator Scott:

S. J. R. 136, a joint resolution providing for the procedure for nominating and electing members of the Board of Governors of the University of North Carolina.

Referred to **University Board of Governors Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 6, a bill to amend Chapter 4 of the 1971 Session Laws which requires that physicians and hospitals must report certain wounds, injuries and illnesses so that it will apply to Forsyth County, for concurrence in the House amendment which is placed on the Calendar for Monday, February 21.

H. B. 86, Committee Substitute for **H. B. 86,** a bill to rewrite the Criminal Abandonment and Nonsupport and Bastardy Statutes to eliminate sex discrimination in the duty of support, and to consolidate repetitive statutes and remove surplusage.

Referred to **Judiciary II Committee.**

H. B. 143, a bill to allow the continued employment of persons closely related to a sheriff or register of deeds without apprvoal of the Board of County Commissioners when the employee was not related to the appointing officer at the time of initial employment.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 145, Committee Substitute for **H. B. 145,** a bill to amend Chapter 341 of the 1975 Session Laws, which prohibits hunting from public highways in Johnston County, so as to make its provisions applicable to Wayne County.

Referred to **Wildlife Committee.**

H. B. 146, Committee Substitute for **H. B. 146,** a bill to amend Chapter 342 of the 1975 Session Laws, "An Act to Prevent Hunting Deer with Dogs in Johnston County" so as to make it applicable to Wayne County.

Referred to **Wildlife Committee.**

H. B. 193, a bill to amend Chapter 195 of the 1967 Session Laws as was further amended by Chapter 936 of the 1973 Session Laws to increase the net profits from ABC revenue to go toward law enforcement in Concord.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 194, a bill to validate the election of school board members in Duplin County.

Referred to **Education Committee.**

H. B. 196, a bill to prohibit the taking of game from certain public highways in Martin County.

Referred to **Wildlife Committee.**

H. B. 207, a bill relating to the games of "bingo" and "skilo" in Chowan, Jones, Pamlico, Union and Cabarrus Counties.

Referred to **Judiciary I Committee.**

H. B. 209, a bill to amend Chapter 546 of the Session Laws of 1963, to determine the distribution of certain income from the beverage control stores of the Town of Granite Falls.

Referred to **Local Government and Regional Affairs Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 70, a bill to transfer the Energy Division and the Energy Policy Council from the Department of Military and Veterans Affairs to the Department of Commerce.

On motion of Senator Whichard, consideration of the bill is postponed until Monday, February 21.

S. B. 75, a bill to amend Chapter 96 of the General Statutes known as the Employment Security Law offsetting retiree's benefits and disqualifying claimants who voluntarily leave their job, are discharged for misconduct or who refuse to accept suitable work until they return to employment and requalify for benefits.

On motion of Senator Childers, consideration of the bill is postponed until Tuesday, February 22.

S. B. 92, a bill to amend the Charter of the City of Locust, upon third reading.

The bill passes its third reading by roll-call vote, ayes 34, noes, 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Hill, Jordan, Lake, Lawing, Marion, Marvin, McDuffie, Palmer, Popkin, Rauch, Renfrow, Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Stallings, Totherow, Webster, Whichard, and Wynne — 34.

The bill is ordered sent to the House of Representatives.

S. B. 107, a bill to amend Article 6 of Chapter 53 relating to banks to provide for legal banking holidays.

On motion of Senator Davis, the Committee amendment is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

H. B. 41, a bill to amend Chapter 126, Session Laws of 1963, relating to elections for the Haywood County School System, upon third reading.

The bill, passes its third reading by roll-call vote, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Hill, Jordan, Lake, Lawing, Marion, Marvin, McDuffie, Palmer, Popkin, Rauch, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Totherow, Webster, Whichard, and Wynne — 36.

The bill is ordered enrolled.

H. B. 150, Committee Substitute for **H. B. 150**, a bill to transfer the Energy Division and the Energy Policy Council from the Department of Military and Veterans Affairs to the Department of Commerce.

Senator Royall offers Amendment No. 1 which is adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger for concurrence in Senate Amendment No. 1.

H. B. 161, a bill to amend Section 135-33 of the General Statutes relating to medical and disability benefits for teachers and state employees as recommended by the Legislative Research Commission's Committee on Retirement Systems Matters.

On motion of Senator Whichard, the Committee amendment is adopted.

Senator Royall offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendments.

H. B. 173, a bill to amend Chapter 96 of the General Statutes known as the Employment Security Law offsetting retiree's benefits and disqualifying claimants who voluntarily leave their job, are discharged for misconduct or who refuse to accept suitable work until they return to employment and requalify for benefits.

Senator Childers calls the previous question, seconded by Senator Harrington. The call is sustained.

The bill passes its second reading.

On motion of Senator Childers, consideration of the bill on third reading is postponed until Tuesday, February 22.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 5, an act to amend Sections 2, 19, 20 and 26 of Chapter 388 of the 1973 Session Laws concerning the Winston-Salem Fire-Public Safety Retirement Fund Association.

S. B. 7, an act to amend Chapter 388, Session Laws of 1975 to reduce the number of Commissioners of the Town of Raynham from five to three, and to stagger the terms of office.

H. B. 37, Senate Committee Substitute for **H. B. 37**, an act to repeal Chapter 42 of the 1935 Public-Local Laws relating to junior traffic officers for the City of Wilmington and New Hanover County.

H. B. 47, an act to delete the provision in G. S. 18A-56 that makes it a misdemeanor to violate a rule of the ABC Board.

H. B. 49, an act to authorize persons 17 years of age to vote in Presidential Preference Primary if they will be qualified to vote in the General Election.

H. B. 84, an act to amend the Charter of the Town of Pikeville, Chapter 108, Private Laws 1891, to provide for the election of the mayor and members of the Board of Commissioners for terms of four years.

On motion of Senator Henley, the Senate adjourns in honor of Senator J. J. "Monk" Harrington, celebrating his birthday today, to meet Monday at 7:00 P.M.

TWENTY-NINTH DAY

SENATE CHAMBER,
Monday, February 21, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, again we look to Thee in thanksgiving and praise for all Thy goodness to us and to all mankind. Keep us forever humble in Thy presence, and aware of our complete dependence upon Thee for all things. Make us more worthy of the bounty we have received, and help us always to be mindful of the needs of others. For Thy name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of Friday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Winters, McDuffie, and Crawford for tonight.

The President recognizes the following pages serving in the Senate this week: Seanne Bishop, Raleigh; Connie Bland, Wilmington; Cener Bolton, Woodland; Donna Carter, Garland; Mike Cooper, Wilmington; Kim Hobbs, Woodland; Betsy Jordan, Mt. Gilead; Kim Kirkland, Fayetteville; Kevin Lawing, Charlotte; Lisa Martin, Rich Square; Gregg Parker, Woodland; Walter Powell, Pink Hill; Mary Reidenbach, Conover; Gregg Setzer, Catawba; and Melissa Truesdale, Hickory.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed of as follows:

By Senator Soles:

S. B. 137, a bill to amend Chapter 101 of the 1973 Session Laws relating to Columbus County sheriffs and police.

Referred to **Local Government and Regional Affairs Committee.**

By Senators Hardison and Royall:

S. B. 138, a bill to amend the authorization for a wholly self-liquidating project for Elizabeth City State University that was originally enacted by Chapter 693 of the 1971 Session Laws and was amended by Chapter 692 of the 1973 Session Laws.

Referred to **Appropriations Committee.**

By Senators Hardison and Royall:

S. B. 139, a bill to amend the authorization for wholly self-liquidating projects for North Carolina State University at Raleigh that were originally enacted by Chapter 523 of the 1973 Session Laws and were amended by Chapter 918 of the 1975 Session Laws.

Referred to **Appropriations Committee.**

By Senators Hardison and Royall:

S. B. 140, a bill to amend the authorization for a wholly self-liquidating project for the University of North Carolina at Wilmington that was originally enacted by Chapter 755 of the 1969 Session Laws, and was amended again by Chapter 1245 of the 1973 Session Laws (Second Session 1974).

Referred to **Appropriations Committee.**

By Senators Hardison and Royall:

S. B. 141, a bill to authorize the construction and the financing, without appropriations from the General Fund, of certain capital improvements projects by constituent institutions of the University of North Carolina.

Referred to **Appropriations Committee.**

By Senator Scott:

S. B. 142, a bill to amend the Guardianship Laws.

Referred to **Judiciary II Committee.**

By Senator Stallings:

S. B. 143, a bill to amend G. S. 153A-335 to modify authority of Pamlico County to regulate the subdivision of land.

Referred to **Local Government and Regional Affairs Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 29, a bill to amend G. S. 15A-1002 relating to the determination of a criminal defendant's incapacity to proceed so as to protect the confidentiality of the medical report and assure the physician-patient privilege, for concurrence in the House amendment which is placed on the Calendar for tomorrow, February 22.

H. B. 158, a bill to amend Chapter 146 of the Session Laws of 1975 regarding the authority of municipalities and political subdivisions of municipalities to use the procedure provided in Article 9 of Chapter 136 of the General Statutes as specifically authorized by G. S. 136-66.3(c), and extending the authority of the City of Statesville to areas without the corporate limits of Statesville.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 179, a bill amending Chapter 1073 of the Session Laws of 1959, relating to the issuance of pistol permits, so as to make the same applicable to Avery and Cherokee Counties.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 185, a bill to revise and consolidate the Charter of the Town of Snow Hill and to repeal prior local acts.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 197, a bill to authorize the qualified voters of the Town of Waxhaw, Union County, to determine whether Alcoholic Beverage Control Stores shall be operated in the Town of Waxhaw and to provide for the distribution of revenues raised therefrom.

Referred to **Alcoholic Beverage Control Committee.**

H. J. R. 268, a joint resolution providing for the procedure for nominating and electing members of the Board of Governors of the University of North Carolina.

Referred to **University Board of Governors Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 6, a bill to amend Chapter 4 of the 1971 Session Laws which requires that physicians and hospitals must report certain wounds, injuries and illnesses so that it will apply to Forsyth County, for concurrence in the House amendment.

On motion of Senator Davis, consideration of the bill for concurrence is postponed until Thursday, February 24.

S. B. 70, a bill to transfer the Energy Division and the Energy Policy Council from the Department of Military and Veterans Affairs to the Department of Commerce.

On motion of Senator Hardison, the bill is postponed indefinitely.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 12:30 P.M.

THIRTIETH DAY

SENATE CHAMBER,
Tuesday, February 22, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green,. Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, on this birthday of George Washington, the father of our country, we offer our thanksgiving for the leadership he gave to those who were in the process of creating a new nation. We thank Thee for his courage in the presence of his enemies; his integrity in his dealings with his fellow countrymen; and his continuing faith in Thee. In the revolutionary times in which we live, may we also possess courage, integrity and an indestructible faith in Thee. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Smith of New Hanover for today.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator White for the **Agriculture Committee:**

S. B. 82, a bill to be known as the North Carolina Commercial Fertilizer Law, with a favorable report, as amended.

On motion of Senator White, the bill is re-referred to the **Judiciary II Committee.**

H. B. 181, a bill repealing Article 32 of Chapter 106 of the General Statutes, relating to linseed oil, with a favorable report.

By Senator Marion for the **Courts and Judicial Districts Committee:**

S. B. 117, a bill to improve the status and effectiveness of magistrates in the North Carolina system of justice, to establish a salary classification plan for magistrates and to make an appropriation therefor, with a favorable report.

On motion of Senator Marion, the bill is re-referred to the **Appropriations Committee.**

By Senator Wynne for the **Higher Education Committee:**

S. B. 68, a bill to authorize the construction and the financing, without appropriations from the General Fund, of a certain capital improvements project by a constituent institution of the University of North Carolina, the University of North Carolina at Charlotte, with a favorable report.

On motion of Senator Wynne, the bill is re-referred to the **Appropriations Committee.**

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 118, a bill to amend G. S. 47-108.11 relating to validation of recorded instruments where seals have been omitted, with a favorable report.

H. B. 34, a bill to correct an erroneous citation to the Principal and Income Act of 1973, with a favorable report.

By Senator Britt for the **Judiciary II Committee:**

S. B. 64, a bill to provide for small claims court hearings for the enforcement of certain mechanic and storage liens on motor vehicles, with a favorable report, as amended.

S. B. 65, a bill to make isolated amendments to the General Statutes, with a favorable report, as amended.

S. B. 67, a bill to make various technical amendments to the General Statutes, with a favorable report, as amended.

H. B. 177, a bill to provide that no bond shall be required of the personal representative if all of the heirs agree to waive bond or if the personal representative is the sole heir or devisee, with a favorable report.

By Senator Soles for the **Local Government and Regional Affairs Committee:**

S. B. 106, a bill to modify the method of selection of members of the Greenville City Board of Education, with a favorable report, as amended.

H. B. 11, Committee Substitute for **H. B. 11**, a bill to prevent the annexation of territory within Brunswick County under the procedures of Part 2 of Article 4A of Chapter 160A, with a favorable report.

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 29, a bill to amend G. S. 15A-1002 relating to the determination of a criminal defendant's incapacity to proceed so as to protect the confidentiality of the medical report and assure the physician-patient privilege, for concurrence in the House amendment.

On motion of Senator Britt, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 75, a bill to amend Chapter 96 of the General Statutes known as the Employment Security Law offsetting retiree's benefits and disqualifying claimants who voluntarily leave their job, are discharged for misconduct or who refuse to accept suitable work until they return to employment and requalify for benefits.

On motion of Senator Childers, consideration of the bill is postponed until Wednesday, February 23.

H. B. 173, a bill to amend Chapter 96 of the General Statutes known as the Employment Security Law offsetting retiree's benefits and disqualifying claimants who voluntarily leave their job, are discharged for misconduct or who refuse to accept suitable work until they return to employment and requalify for benefits, upon third reading.

On motion of Senator Childers, consideration of the bill is postponed until Wednesday, February 23.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 27, an act to amend G. S. 7A-66 relating to the removal of district attorneys so as to clarify the authority of a superior court judge to dismiss a frivolous removal petition without conducting a hearing and to expand the time in which the court has to act from 15 to 30 days.

H. B. 41, an act to amend Chapter 126, Session Laws of 1963, relating to elections for the Haywood County School System.

H. B. 150, Committee Substitute for **H. B. 150**, an act to transfer the Energy Division and the Energy Policy Council from the Department of Military and Veterans Affairs to the Department of Commerce.

H. B. 161, an act to amend Section 135-33 of the General Statutes relating to medical and disability benefits for teachers and state employees as recommended by the Legislative Research Commission's Committee on Retirement Systems Matters.

On motion of Sentor Henley, the Senate adjourns to meet tomorrow at 12:30 P.M.

February 22, 1977

THIRTY-FIRST DAY

SENATE CHAMBER,
Wednesday, February 23, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Reverend Samuel D. McMillan, Jr., Pastor, First United Methodist Church, Laurinburg, as follows:

"O God of Compassion, on this Ash Wednesday, we recall the life and ministry of Thy Son, the Suffering Servant, and pray that we too may give unselfishly of ourselves in the service of others.

"O God of the Nations, whose statutes are good and gracious and whose law is truth, we beseech Thee to guide and bless the North Carolina State Senate.

"Inspire our Senators with noble dreams, high moral standards, integrity in their private and public life, compassion for the needs of their fellow man, understanding in the face of complex issues, and courage to stand up for truth and justice.

"O God of Justice, bless our State with honorable industry, sound learning, pure religion, good government, and a sense of brotherhood.

"And grant, we pray Thee, that in our State justice may flow down like waters and righteousness like an everflowing stream. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Winters for Thursday and Friday, February 24 and 25, to attend a national conference on Education for the Handicapped.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Soles for the **Local Government and Regional Affairs Committee:**

S. B. 58, a bill to amend Chapter 687 of the Session Laws of 1975 and to limit certain powers of the incorporated Village of Walnut Creek, with a favorable report.

S. B. 74, a bill extending the corporate limits of the Town of Holly Ridge, with a favorable report.

S. B. 86, a bill to amend Chapter 346, Session Laws of 1973 to authorize the Raleigh Redevelopment Commission to permit disposition of land for a special purpose at fair market value without competitive bidding; to permit disposition of land on the basis other than the highest monetary bid where such disposition is found to serve the best interest of the municipality and to dispose of property at private sale, with a favorable report.

On motion of Senator Winters the bill is placed on the Calendar for Wednesday, March 2.

S. B. 122, a bill to amend Chapter 546 of the Session Laws of 1963, to determine the distribution of certain income from the beverage control stores of the Town of Granite Falls, with a favorable report.

S. B. 137, a bill to amend Chapter 101 of the 1973 Session Laws relating to Columbus County sheriffs and police, with a favorable report.

H. B. 59, a bill to apply to Iredell County the provisions of Section 1 of Chapter 4 of the 1971 Session Laws requiring the reporting of certain wounds, injuries or illnesses, with a favorable report.

H. B. 121, a bill to amend Chapter 391, Session Laws of 1963 to provide that members of the New Hanover County Board of Education shall take office in December next after their election, with a favorable report.

H. B. 143, a bill to allow the continued employment of persons closely related to a sheriff or register of deeds without approval of the Board of County Commissioners when the employee was not related to the appointing officer at the time of initial employment, with a favorable report.

H. B. 162, a bill to amend the Charter of the City of Wilson, with a favorable report.

H. B. 168, a bill to authorize the Board of County Commissioners of Onslow County to fix the compensation of the members and the Chairman of the Onslow County Board of Education, with a favorable report, as amended.

H. B. 172, a bill to amend Chapter 92, Private Laws of 1919, relating to the term and appointment of members of the Board of Trustees of the Kinston Grade School District, with a favorable report.

H. B. 179, a bill amending Chapter 1073 of the Session Laws of 1959, relating to the issuance of pistol permits, so as to make the same applicable to Avery and Cherokee Counties, with a favorable report.

H. B. 193, a bill to amend Chapter 195 of the 1967 Session Laws as was further amended by Chapter 936 of the 1973 Session Laws to increase the net profits from ABC revenue to go toward law enforcement in Concord, with a favorable report.

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H. B. 209, a bill to amend Chapter 546 of the Session Laws of 1963, to determine the distribution of certain income from the beverage control stores of the Town of Granite Falls, with a favorable report.

By Senator Whichard for the **State Government Committee:**

S. B. 85, a bill to transfer the State Ports Authority and the Navigation and Pilotage Commissions to the Department of Commerce and to amend G. S. 143-216 relating to the creation, membership, appointment and terms of the State Ports Authority and to amend G. S. 143-218 relating to personnel employed by the State Ports Authority, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Senator Whichard, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed of as follows:

By Senators Rauch, Totherow, and Garrison:

S. B. 144, a bill to amend Article 25A of Chapter 58 of the General Statutes to require the reinsurance facility to provide additional ceding privileges for motor vehicle liability insurance.

Referred to **Insurance Committee.**

By Senators Rauch, Totherow, and Garrison:

S. B. 145, a bill to amend Article 25A of Chapter 58 of the General Statutes to provide motor vehicle insurance coverage sufficient to meet requirements of law.

Referred to **Insurance Committee.**

By Senator Soles:

S. B. 146, a bill to incorporate the Town of Belville in Brunswick County.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Soles:

S. B. 147, a bill to amend G. S. 7A-41, in the table, to raise the number of authorized assistant district attorneys in the 13th Judicial District from "2" to "3".

Referred to **Courts and Judicial Districts Committee.**

By Senator Kincaid:

S. B. 148, a bill to revise and consolidate the Charter of the City of Lenoir and to repeal prior local acts.

Referred to **Local Government and Regional Affairs Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 46, a bill to revise, consolidate and restate the Charter of the City of Conover and to repeal all prior charter acts.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 99, a bill to revise and consolidate the Charter of the City of Boiling Spring Lakes in Brunswick County and to repeal prior charter acts, subject to an election.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 203, a bill to validate corporate deeds and other documents acknowledged and recorded prior to January 1, 1977.

Referred to **Judiciary I Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 64, a bill to provide for small claims court hearings for the enforcement of certain mechanic and storage liens on motor vehicles.

On motion of Senator Britt, the Committee amendment is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 65, a bill to make isolated amendments to the General Statutes.

On motion of Senator Smith of New Hanover the Committee amendment is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

Without objection, Senator Davis is excused from voting for the following reason: "Possible conflict of interest."

S. B. 67, a bill to make various technical amendments to the General Statutes.

On motion of Senator Britt, the Committee amendment is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 75, a bill to amend Chapter 96 of the General Statutes known as the Employment Security Law offsetting retiree's benefits and disqualifying claimants who voluntarily leave their job, are discharged for misconduct or who refuse to accept suitable work until they return to employment and requalify for benefits.

On motion of Senator Childers, the bill is postponed indefinitely.

S. B. 85, Committee Substitute for **S. B. 85,** a bill to transfer the State Ports Authority and the Navigation and Pilotage Commissions to the Department of Commerce and to amend G. S. 143-216 relating to the creation, membership, appointment and terms of the State Ports Authority and to amend G. S. 143-218 relating to personnel employed by the State Ports Authority.

On motion of Senator Whichard, the Committee Substitute bill is adopted.

The Committee Substitute bill remains on the Calendar.

S. B. 106, a bill to modify the method of selection of members of the Greenville City Board of Education.

On motion of Senator Hill, the Committee amendment is adopted.

The bill, as amended, passes its second and third reading and is ordered engrossed and sent to the House of Representatives.

S. B. 118, a bill to amend G. S. 47-108.11 relating to validation of recorded instruments where seals have been omitted.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 11, Committee Substitute for **H. B. 11,** a bill to prevent the annexation of territory within Brunswick County under the procedures of Part 2 of Article 4A of Chapter 160A.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 34, a bill to correct an erroneous citation to the Principal and Income Act of 1973.

The bill passes its second and third readings and is ordered enrolled.

H. B. 173, a bill to amend Chapter 96 of the General Statutes known as the Employment Security Law offsetting retiree's benefits and disqualifying claimants who voluntarily leave their job, are discharged for misconduct or who refuse to accept suitable work until they return to employment and requalify for benefits, upon third reading.

Senator Hill offers Amendment No. 1 which fails of adoption.

Senator Smith of New Hanover offers Amendment No. 2 which fails of adoption.

Senator Vickery offers Amendment No. 3 which fails of adoption.

Senator Sebo offers Amendment No. 4 which fails of adoption.

Senator Smith of Guilford offers Amendment No. 5 which fails of adoption.

Senator Wynne offers Amendment No. 6 which fails of adoption.

Senator Childers calls the previous question, seconded by Senator Rauch. The call is sustained.

The bill passes its third reading and is ordered enrolled.

H. B. 177, a bill to provide that no bond shall be required of the personal representative if all of the heirs agree to waive bond or if the personal representative is the sole heir or devisee.

The bill passes its second and third readings and is ordered enrolled.

H. B. 181, a bill repealing Article 32 of Chapter 106 of the General Statutes, relating to linseed oil.

The bill passes its second reading.

On motion of Senator Rauch, the bill is re-referred to the **Finance Committee.**

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 29, an act to amend G. S. 15A-1002 relating to the determination of a criminal defendant's incapacity to proceed so as to protect the confidentiality of the medical report and assure the physician-patient privilege.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:00 P.M.

THIRTY-SECOND DAY

SENATE CHAMBER,
Thursday, February 24, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Almighty God, to Whom all praise belongs, and from Whom all blessings come, search our hearts and see if there is any wicked way in us, and cleanse us from all unrighteousness. We seek to know Thy will for us in all things, and pray that Thou wilt prevent us from pursuing any unwise or unworthy course of action. For Thy name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Scott for today and to Senators Stallings, Alexander, Somers, and Speed for tomorrow, February 25.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Stallings for the **Education Committee:**

S. B. 22, a bill to amend Chapter 115A, Section 4 of the North Carolina General Statutes to provide regulations for in-plant training, with a favorable report.

On motion of Senator Stallings, the bill is re-referred to the **Judiciary I Committee.**

H. B. 194, a bill to validate the election of school board members in Duplin County, with a favorable report.

On motion of Senator Stallings, the bill is re-referred to the **Local Government and Regional Affairs Committee.**

By Senator Allsbrook for the **Judiciary I Committee:**

H. B. 203, a bill to validate corporate deeds and other documents acknowledged and recorded prior to January 1, 1977, with a favorable report.

By Senator Soles for the **Local Government and Regional Affairs Committee:**

H. B. 79, a bill to place Yadkin County under G. S. 14-111.2, relating to obtaining ambulance services without intending to pay, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Soles, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

H. B. 104, a bill to place Yadkin County under G. S. 44-51.8 relating to attachment or garnishment for ambulance service in certain counties, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Soles, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

By Senator Childers for the **Manufacturing, Labor and Commerce Committee:**

S. B. 76, a bill to deny unemployment compensation to persons who voluntarily quit their jobs, without prejudice.

On motion of Senators Childers, the rules are suspended and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed of as follows:

By Senator Somers:

S. B. 149, a bill to amend G. S. 116-143 to prohibit state universities from collecting fees for the use of lobbying organizations.

Referred to **Higher Education Committee.**

By Senator Stallings:

S. B. 150, a bill to repeal Articles 13, 13A, 13B and 25 of the General Statutes Chapter 58 relating to the Fire Insurance Rating Bureau, fire and casualty insurance rate regulations, and regulation of automobile liability insurance rates; to provide a new and competitive method of rate regulation of fire, casualty, and automobile liability insurance; and to prevent monopoly and collusion in rate making.

Referred to **Insurance Committee.**

By Senator Stallings:

S. B. 151, a bill to provide improved access by insurance guaranty associations to the assets of insolvent insurers, to establish priorities for the distribution of assets of insolvent insurers, and to provide a premium tax offset in lieu of recoupment in rates for insurers paying assessments pursuant to Guaranty Association Statutes.

Referred to **Insurance Committee.**

By Senator Smith of New Hanover:

S. B. 152, a bill to provide a compensation schedule for trustees and fiduciaries when the creating instrument does not set out the compensation, and to make technical amendments to Chapter 32.

Referred to **Judiciary II Committee.**

By Senator Smith of New Hanover:

S. B. 153, a bill to rewrite Chapter 36 of the General Statutes relating to trusts.

Referred to **Judiciary II Committee.**

By Senator Smith of New Hanover:

S. B. 154, a bill to rewrite the law regarding wrongful death in order to resolve inconsistency and to provide for a logical distribution of a recovery.

Referred to **Judiciary I Committee.**

By Senator Soles:

S. B. 155, a bill to authorize local boards of alcoholic control to enter into interlocal agreements.

Referred to **Alcoholic Beverage Control Committee.**

By Senator Britt:

S. B. 156, a bill to be known as the North Carolina Tender Offer Disclosure Act.

Referred to **Judiciary II Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 189, a bill to transfer the State Ports Authority and the Navigation and Pilotage Commissions to the Department of Commerce and to amend G. S. 143-216 relating to the creation, membership, appointment and terms of the State Ports Authority and to amend G. S. 143-218 relating to personnel employed by the State Ports Authority.

Referred to **State Government Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 6, a bill to amend Chapter 4 of the 1971 Session Laws which requires that physicians and hospitals must report certain wounds, injuries and illnesses so that it will apply to Forsyth County, for concurrence in the House amendment.

On motion of Senator Davis, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 58, a bill to amend Chapter 687 of the Session Laws of 1975 and to limit certain powers of the incorporated Village of Walnut Creek.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 74, a bill extending the corporate limits of the Town of Holly Ridge, upon second reading.

The bill passes its second reading by roll-call vote, ayes 39, noes 2, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Royall, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Swain, Totherow, Vickery, Walker, Webster, White, and Wynne — 39.

Those voting in the negative are: Senators Hill and Stallings — 2.

The bill remains on the Calendar, upon third reading.

S. B. 85, Committee Substitute for S. B. 85, a bill to transfer the State Ports Authority and the Navigation and Pilotage Commissions to the Department of Commerce and to amend G. S. 143-216 relating to the creation,

membership, appointment and terms of the State Ports Authority and to amend G. S. 143-218 relating to personnel employed by the State Ports Authority.

On motion of Senator Stallings, consideration of the Committee Substitute bill is postponed until Thursday, March 3.

S. B. 122, a bill to amend Chapter 546 of the Session Laws of 1963, to determine the distribution of certain income from the beverage control stores of the Town of Granite Falls.

On motion of Senator Soles, the bill is postponed indefinitely.

S. B. 137, a bill to amend Chapter 101 of the 1973 Session Laws relating to Columbus County sheriffs and police.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 59, a bill to apply to Iredell County the provisions of Section 1 of Chapter 4 of the 1971 Session Laws requiring the reporting of certain wounds, injuries or illnesses.

On motion of Senator Soles, the bill is postponed indefinitely.

H. B. 79, Senate Committee Substitute for **H. B. 79,** a bill to place Yadkin County under G. S. 14-111.2, relating to obtaining ambulance services without intending to pay.

On motion of Senator Soles, the Senate Committee Substitute bill is adopted and remains on the Calendar.

H. B. 104, Senate Committee Substitute for **H. B. 104,** a bill to place Yadkin County under G. S. 44-51.8 relating to attachment or garnishment for ambulance service in certain counties.

On motion of Senator Soles, the Senate Committee Substitute bill is adopted and remains on the Calendar.

H. B. 121, a bill to amend Chapter 391, Session Laws of 1963 to provide that members of the New Hanover County Board of Education shall take office in December next after their election.

The bill passes its second and third readings and is ordered enrolled.

H. B. 143, a bill to allow the continued employment of persons closely related to a sheriff or register of deeds without approval of the Board of County Commissioners when the employee was not related to the appointing officer at the time of initial employment.

The bill passes its second and third readings and is ordered enrolled.

H. B. 162, a bill to amend the Charter of the City of Wilson, upon second reading.

The bill passes its second reading by roll-call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin,

Mathis, McDuffie, Palmer, Rauch, Raynor, Royall, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Swain, Totherow, Vickery, Walker, White, and Wynne — 39.

The bill remains on the Calendar, upon third reading.

H. B. 168, a bill to authorize the Board of County Commissioners of Onslow County to fix the compensation of the members and the Chairman of the Onslow County Board of Education.

On motion of Senator Marion, the Committee amendment is adopted.

The bill, as amended, passes its second and third readings and is sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 172, a bill to amend Chapter 92, Private Laws of 1919, relating to the term and appointment of members of the Board of Trustees of the Kinston Grade School District.

The bill passes its second and third readings and is ordered enrolled.

H. B. 179, a bill amending Chapter 1073 of the Session Laws of 1959, relating to the issuance of pistol permits, so as to make the same applicable to Avery and Cherokee Counties.

The bill passes its second and third readings and is ordered enrolled.

H. B. 193, a bill to amend Chapter 195 of the 1967 Session Laws as was further amended by Chapter 936 of the 1973 Session Laws to increase the net profits from ABC revenue to go toward law enforcement in Concord.

The bill passes its second and third readings and is ordered enrolled

H. B. 209, a bill to amend Chapter 546 of the Session Laws of 1963, to determine the distribution of certain income from the beverage control stores of the Town of Granite Falls.

The bill passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 11, Committee Substitute for **H. B. 11**, an act to prevent the annexation of territory within Brunswick County under the procedures of Part 2 of Article 4A of Chapter 160A.

H. B. 173, an act to amend Chapter 96 of the General Statutes known as the Employment Security Law offsetting retiree's benefits and disqualifying claimants who voluntarily leave their job, are discharged for misconduct or who refuse to accept suitable work until they return to employment and requalify for benefits.

On motion of Senator Henley, the Senate adjourns in honor of our President, the Honorable James C. Green, celebrating his birthday, to meet tomorrow at 10:00 A.M.

THIRTY-THIRD DAY

SENATE CHAMBER,
Friday, February 25, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Honorable Roger Sharpe, Senator from Burke County, as follows:

"God of our fathers and our God, remove from us the sophistication of our age and the skepticism that has come to blight our faith and to make it weak.

"Bring us back to a faith that makes us great and strong, a faith that enables us to love and to live, the faith by which we are triumphant, and the faith by which alone we can walk with Thee.

"As we conclude another week of the General Assembly, and as we prepare next week to make decisions which affect the progress of human rights, help us, O God, to find that standing-place on which we can be secure, and from which we can be secure, and from which we can reach Your will. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Lawing, Vickery, and McDuffie for today. Leaves of absence granted previously to Senators Alexander, Somers, Speed, and Stallings are noted.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hill for the **Constitutional Amendments Committee:**

H. B. 43, a bill to ratify the Equal Rights Amendment to the Constitution of the United States of America relating to equal rights for men and women, without prejudice.

On motion of Senator Hill, the bill is placed on the Calendar for Tuesday, March 1, and is set as Special Order No. 1 for the day.

By Senator Rauch for the **Finance Committee:**

S. B. 19, a bill to increase to four percent the discount allowed to retailers for payment of sales and use tax when due, with an unfavorable report.

S. B. 37, a bill to deduct from gross income amounts received under a student loan program which provides that all or a portion of the loan indebtedness may be discharged if the student performs certain services for a period of time in a certain geographical area, with a favorable report.

On motion of Senator Rauch, the bill is re-referred to the **Ways and Means Committee.**

S. B. 69, a bill to exempt from taxation special fuels lost by accident, with a favorable report.

On motion of Senator Rauch, the bill is re-referred to the **Ways and Means Committee.**

H. B. 181, a bill repealing Article 32 of Chapter 106 of the General Statutes, relating to linseed oil, with a favorable report.

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 57, a bill to prescribe rules for the conduct of auction sales of personal property by school boards, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Senator Allsbrook, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed of as follows:

By Senators Davis, Totherow, Royall, Whichard, Jordan, Ballenger, Sharpe, Hill, McDuffie, Harrington, Winters, Sebo, Gray, Mathis, Marvin, Rauch, Wynne, Somers, and Webster:

S. B. 157, a bill to create a Judicial Nominating Commission and to implement the nonpartisan plan for the selection of judges as required by Article IV, Section 16, of the North Carolina Constitution.

Referred to **Courts and Judicial Districts Committee.**

By Senators Davis, Totherow, Royall, Whichard, Jordan, Ballenger, Sharpe, Hill, McDuffie, Harrington, Winters, Sebo, Mathis, Gray, Marvin, Rauch, Wynne, Somers, and Webster:

S. B. 158, a bill to amend the Constitution of North Carolina to provide for nonpartisan selection of justices and judges of the General Court of Justice.

Referred to **Courts and Judicial Districts Committee.**

By Senator Hardison:

S. B. 159, a bill to amend G. S. 7A-133 by adding an additional seat of court for District Court in Lenoir County.

Referred to **Courts and Judicial Districts Committee.**

By Senators Smith of Guilford and Sharpe:

S. B. 160, a bill to amend G. S. 120-47.6 and G. S. 120-47.7 to require quarterly lobbyist reports.

Referred to **Rules and Operation of the Senate Committee.**

By Senator Britt:

S. B. 161, a bill to amend G. S. 7A-133 by adding an additional seat of court for district court in Robeson County.

Referred to **Courts and Judicial Districts Committee.**

By Senator Britt:

S. B. 162, a bill to provide for two additional assistant district attorneys in the Sixteenth Judicial District.

Referred to **Courts and Judicial Districts Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 214, a bill to authorize the City of Hamlet to lease for 99 years to Hamlet Lions Club a certain lot of land lying on East Hamlet Avenue or U. S. Highway No. 74 East, for civic purposes and activities, with reverter clause.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 223, a bill to provide for assignments of claims against the State for legal services.

Referred to **Judiciary I Committee.**

H. B. 228, a bill to allow civic and charitable organizations to sponsor or operate the game of bingo in Lincoln County.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 238, a bill to authorize the Board of Commissioners of Rutherford County to establish a county zoo.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 243, a bill to abolish the Office of Coroner in Pitt County.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 251, a bill to amend G. S. 47-30(k) to delete Lenoir County so that the State mapping requirements will apply to Lenoir County.

Referred to **Local Government and Regional Affairs Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 57, Committee Substitute for **S. B. 57,** a bill to prescribe rules for the conduct of auction sales of personal property by school boards.

On motion of Senator Allsbrook, the Committee Substitute bill is adopted and remains on the Calendar.

S. B. 74, a bill extending the corporate limits of the Town of Holly Ridge, upon third reading.

The bill passes its third reading by roll-call vote, ayes 35, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Combs, Daniels, Davis, Garrison, Hardison, Harris, Henley, Hill, Jordan, Lake, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Speed, Swain, Totherow, Webster, Whichard, White, and Wynne — 35.

The bill is ordered sent to the House of Representatives.

H. B. 79, Senate Committee Substitute for **H. B. 79,** a bill to place Yadkin County under G. S. 14-111.2, relating to obtaining ambulance services without intending to pay.

The Senate Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

Without objection, Senator Harris is excused from voting for the following reason: "I provide ambulance service in Cleveland County. Have direct interest."

H. B. 104, Senate Committee Substitute for **H. B. 104,** a bill to place Yadkin County under G. S. 44-51.8 relating to attachment or garnishment for ambulance service in certain counties.

The Senate Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

Without objection, Senator Harris is excused from voting for the following reason: "I provide ambulance service in Cleveland County. Have direct interest."

H. B. 162, a bill to amend the Charter of the City of Wilson, upon third reading.

The passes its third reading by roll-call vote, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Lake, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Smith of New Hanover, Speed, Swain, Totherow, Walker, Webster, Whichard, White, and Wynne — 36.

The bill is ordered enrolled.

H. B. 203, a bill to validate corporate deeds and other documents acknowledged and recorded prior to January 1, 1977.

The bill passes its second and third readings and is ordered enrolled.

February 25, 1977

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 6, an act to amend Chapter 4 of the 1971 Session Laws which requires that physicians and hospitals must report certain wounds, injuries and illnesses so that it will apply to Forsyth County.

S. B. 30, an act to amend the Charter of Raleigh-Durham Airport Authority to raise the rate of compensation of members.

H. B. 34, an act to correct an erroneous citation to the Principal and Income Act of 1973.

H. B. 121, an act to amend Chapter 391, Session Laws of 1963 to provide that members of the New Hanover County Board of Education shall take office in December next after their election.

H. B. 143, an act to allow the continued employment of persons closely related to a sheriff or register of deeds without approval of the Board of County Commissioners when the employee was not related to the appointing officer at the time of initial employment.

H. B. 172, an act to amend Chapter 92, Private Laws of 1919, relating to the term and appointment of members of the Board of Trustees of the Kinston Grade School District.

H. B. 177, an act to provide that no bond shall be required of the personal representative if all of the heirs agree to waive bond or if the personal representative is the sole heir or devisee.

H. B. 179, an act amending Chapter 1073 of the Session Laws of 1959, relating to the issuance of pistol permits, so as to make the same applicable to Avery and Cherokee Counties.

H. B. 193, an act to amend Chapter 195 of the 1967 Session Laws as was further amended by Chapter 936 of the 1973 Session Laws to increase the net profits from ABC revenue to go toward law enforcement in Concord.

H. B. 209, an act to amend Chapter 546 of the Session Laws of 1963, to determine the distribution of certain income from the beverage control stores of the Town of Granite Falls.

On motion of Senator Henley, the Senate adjourns to meet Monday at 7:00 P.M.

THIRTY-FOURTH DAY

SENATE CHAMBER,
Monday, February 28, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we begin another week together in the service to which we have been called. As we face the controversial issues of our time, help us to remember that we are called to follow One who also lived in controversial times. Give us the wisdom to know what is right, and the courage to do what is right, and to leave the consequences in Thy hands. For Thy Name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of Friday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Marion for tonight.

The President recognizes the following pages serving in the Senate this week: Terri Atkins, Cary; Pam Barefoot, Dunn; Jay Blackwell, Roxboro; Alan Cloniger, Kings Mountain; Susan Davis, Warrenton; Charlotte Eaton, Salisbury; Allen Ferguson, Raleigh; Susan Friedman, High Point; Catherine Hargett, Richlands; Ken Herring, Jr., Selma; Jan Hinkle, Wilmington; Hardy Holland, Wilmington; Robbie Hood, Benson; Dorraine Jacobs, Bolton; Loran Johnson, Wilmington; Lisa Kincaid, Lenoir; Ben Knox, Cleveland; Cynthia McCall, Lenoir; Pam Patrick, Gastonia; Julye Powell, Raleigh; Mandi Sparks, Wilmington; and Tim Whitson, Statesville.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed of as follows:

By Senator Smith of Guliford:

S. B. 163, a bill to amend Chapter 62 of the General Statutes by adding a new Section 62-31.1 relating to the promulgation by the State Utilities Commission of rules and regulations relating to utility financing and insulation.

Referred to **Public Utilities Committee.**

By Senator Stallings:

S. B. 164, a bill to appropriate funds to the Department of Cultural Resources for the New Bern Academy Historical Commission to plan and restore the New Bern Academy, New Bern.
Referred to **Appropriations Committee.**

By Senator Barnes:

S. B. 165, a bill to permit criminal prosecution upon the initial dissemination of obscene materials.
Referred to **Judiciary I Committee.**

By Senators Raynor and Smith of Guilford:

S. B. 166, a bill to provide lifeline rates for essential use of electricity by residential customers.
Referred to **Public Utilities Committee.**

S. J. R. 167, a joint resolution designating the third week in April as "National Library Week" in the General Assembly.
Referred to **Rules and Operation of the Senate Committee.**

By Senator Popkin:

S. B. 168, a bill to authorize hospital authorities to regulate parking on property owned or leased by them.
Referred to **Judiciary I Committee.**

By Senator Henley:

S. R. 169, a Senate Resolution adopting the permanent rules of the Senate for the 1977 Session of the General Assembly of North Carolina.
Referred to **Rules and Opertaion of the Senate Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 230, a bill to continue a moratorium on incorporations and annexations in Buncombe County.
Referred to **Local Government and Regional Affairs Committee.**

H. B. 254, a bill to remove 1.899 acres of land from the corporate limits of the Town of Spencer to change the course of a portion of the existing town boundary and de-annex the property which lies on the western side of the new town boundary.
Referred to **Local Government and Regional Affairs Committee.**

H. B. 288, a bill to amend G. S. 131-3 to allow the North Carolina Orthopedic Hospital at Gastonia to operate a school.
Referred to **Human Resources Committee.**

February 28, 1977

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 57, Committee Substitute for S. B. 57, a bill to prescribe rules for the conduct of auction sales of personal property by school boards.

On motion of Senator Renfrow, the Committee Substitute bill is re-referred to the **Education Committee.**

H. B. 181, a bill repealing Article 32 of Chapter 106 of the General Statutes, relating to linseed oil, upon third reading.

The bill passes its third reading and is ordered enrolled.

On motion of Senator Henley, the Senate adjourns in memory of Mrs. Vernon James, wife of the Honorable Vernon James, Representative from Pasquotank County, to meet tomorrow at 1:00 P.M.

THIRTY-FIFTH DAY

SENATE CHAMBER,
Tuesday, March 1, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we thank Thee that as Thy children we are never left alone when confronted by hard choices, for we are told in Thy word that when we come to the crossroads of life we 'shall hear a voice behind us saying, This is the way, walk ye in it.' With so many voices demanding to be heard, give us the ability to hear Thy voice above all others. And to Thee shall be the praise. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

S. B. 89, a bill to provide assistance to counties for improvement of land records.

On motion of Senator Soles, the rules are suspended and the bill is taken from the **Local Government and Regional Affairs Committee** and re-referred to the **Judiciary II Committee.**

S. B. 90, a bill to establish standards for land parcel identifier numbers and to authorize the creation and maintenance of land records indexes by parcel identifier numbers.

On motion of Senator Soles, the rules are suspended and the bill is taken from the **Local Government and Regional Affairs Committee** and re-referred to the **Judiciary II Committee.**

S. B. 91, a bill to establish a land records management program in the Department of Administration.

On motion of Senator Soles, the rules are suspended and the bill is taken from the **Local Government and Regional Affairs Committee** and re-referred to the **Judiciary II Committee.**

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator White for the **Agriculture Committee:**

S. B. 135, a bill to create the North Carolina Bee and Honey Act of 1977, with a favorable report, as amended.

On motion of Senator White, the bill is re-referred to the **Finance Committee.**

By Senator Marion for the **Courts and Judicial Districts Committee:**

S. B. 159, a bill to amend G. S. 7A-133 by adding an additional seat of court for District Court in Lenoir County, with a favorable report.

S. B. 161, a bill to amend G. S. 7A-133 by adding an additional seat of court for District Court in Robeson County, with a favorable report.

By Senator Totherow for the **Insurance Committee:**

S. B. 45, a bill to permit a married woman's life to be insured for the benefit of her husband or children or both, with a favorable report.

S. B. 46, a bill to amend the Constitution of North Carolina to extend to a married woman the right to insure her life for the benefit of her husband or children or both, with a favorable report.

On motion of Senator Totherow, the bill is re-referred to the **Constitutional Amendments Committee.**

S. B. 123, a bill to extend the expiration date of the Fair Access Insurance Plan from December 31, 1977, to December 31, 1980, with a favorable report.

By Senator Britt for the **Judiciary II Committee:**

S. B. 121, a bill to authorize electronically modulated headlamps on motorcycles and emergency vehicles, with a favorable report.

H. B. 12, a bill to permit county fire marshals and civil defense directors to use warning devices and red lights, with a favorable report, as amended.

H. B. 118, a bill to amend G. S. 55B-2 so as to include registered foresters under the provisions of the Professional Corporation Act, with a favorable report, as amended.

By Senator Combs for the **Wildlife Committee:**

H. B. 145, Committee Substitute for **H. B. 145**, a bill to amend Chapter 341 of the 1975 Session Laws, which prohibits hunting from public highways in Johnston County, so as to make its provisions applicable to Wayne County, with a favorable report.

H. B. 146, Committee Substitute for **H. B. 146**, a bill to amend Chapter 342 of the 1975 Session Laws, "An Act to Prevent Hunting Deer with Dogs in Johnston County" so as to make it applicable to Wayne County, with a favorable report.

H. B. 147, a bill to amend Chapter 343 of the 1975 Session Laws, relating to hunting deer with rifles in Johnston County, so as to make its provisions applicable to Wayne County, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed of as follows:

By Senator White:

S. B. 170, a bill to amend G. S. 18A-52 by adding a new subsection defining "restaurant."

Referred to **Alcoholic Beverage Control Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 220, a bill to prohibit the hunting of bear in Beaufort County.

Referred to **Wildlife Committee.**

H. J. R. 245, a joint resolution honoring the life and memory of William B. Rodman, Jr., a distinguished North Carolinian.

Referred to **Rules and Operation of the Senate Committee.**

H. J. R. 253, a joint resolution honoring the life and memory of Homer Brown Tolbert, Sr., former member of the General Assembly.

Referred to **Rules and Operation of the Senate Committee.**

H. B. 274, a bill to amend Chapter 269, Session Laws of 1975, so as to prohibit night hunting with artificial lights in Rowan County.

Referred to **Wildlife Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

SPECIAL ORDER NO. 1

H. B. 43

The hour having arrived for the consideration of Special Order No. 1, the President of the Senate lays before the Senate Special Order No. 1, it being **H. B. 43**, a bill to ratify the Equal Rights Amendment to the Constitution of the United States of America relating to equal rights for men and women.

Senator Hill calls for the "ayes" and "noes" on second reading. The call is sustained.

Senator Hill calls the previous question, seconded by Senator Somers. The call is sustained.

The bill fails to pass its second reading by roll-call vote, ayes 24, noes 26, as follows:

Those voting in the affirmative are: Senators Alexander, Britt, Davis, Garrison, Gray, Hill, Jordan, Lawing, Marvin, Mathis, Raynor, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Stallings, Totherow, Vickery, Walker, Whichard, Winters, and Wynne — 24.

Those voting in the negative are: Senators Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Crawford, Daniels, Hardison, Harrington, Harris, Henley, Kincaid, Lake, Marion, McDuffie, Palmer, Popkin, Rauch, Renfrow, Soles, Somers, Speed, Swain, Webster, and White — 26.

Senator Allsbrook moves that the vote by which the bill failed to pass its second reading be reconsidered and that that motion do lie upon the table.

Senator Smith of Guilford offers a substitute motion that the Senate do now adjourn, which motion fails to prevail.

The motion offered by Senator Allsbrook to table the motion to reconsider the vote by which the bill failed to pass its second reading prevails, and the motion lies upon the table.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 92, an act to amend the Charter of the City of Locust.

H. B. 162, an act to amend the Charter of the City of Wilson.

H. B. 168, an act to authorize the Board of County Commissioners of Onslow County to fix the compensation of the members and the chairman of the Onslow County Board of Education.

H. B. 181, an act repealing Article 32 of Chapter 106 of the General Statutes, relating to linseed oil.

H. B. 203, an act to validate corporate deeds and other documents acknowledged and recorded prior to January 1, 1977.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 12:30 P.M.

THIRTY-SIXTH DAY

SENATE CHAMBER,
Wednesday, March 2, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Reverend T. Marshall Collins, Pastor of Tabernacle Baptist Church, Raleigh.

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Hill and Sebo for tomorrow, March 3.

The President extends courtesies of the gallery to the Honorable Lynwood Smith, former Senator from Guilford County, and courtesies of the floor to the Honorable William R. Roberson, Jr., former Representative from Beaufort County.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Soles for the **Local Government and Regional Affairs Committee:**

S. B. 79, a bill to empower the City of Mt. Airy to remove particular tracts and parcels of land from established service districts, with a favorable report.

S. B. 113, a bill to amend G. S. 130-166.18 relating to solid waste disposal, with a favorable report.

S. B. 146, a bill to incorporate the Town of Belville in Brunswick County, with a favorable report.

H. B. 99, a bill to revise and consolidate the Charter of the City of Boiling Spring Lakes in Brunswick County and to repeal prior charter acts, subject to an election, with a favorable report.

H. B. 158, a bill to amend Chapter 146 of the Session Laws of 1975 regarding the authority of municipalities and political subdivisions of municipalities to use the procedure provided in Article 9 of Chapter 136 of the General Statutes as specifically authorized by G. S. 136-66.3(c), and extending the authority of the City of Statesville to areas without the corporate limits of Statesville, with a favorable report.

H. B. 185, a bill to revise and consolidate the Charter of the Town of Snow Hill and to repeal prior local acts, with a favorable report.

H. B. 194, a bill to validate the election of school board members in Duplin County, with a favorable report.

H. B. 214, a bill to authorize the City of Hamlet to lease for 99 years to Hamlet Lions Club a certain lot of land lying on East Hamlet Avenue or U. S. Highway No. 74 East, for civic purposes and activities, with reverter clause, with a favorable report.

H. B. 228, a bill to allow civic and charitable organizations to sponsor or operate the game of bingo in Lincoln County, with a favorable report.

H. B. 230, a bill to continue a moratorium on incorporations and annexations in Buncombe County, with a favorable report.

H. B. 238, a bill to authorize the Board of Commissioners of Rutherford County to establish a county zoo, with a favorable report.

H. B. 243, a bill to abolish the Office of Coroner in Pitt County, with a favorable report.

H. B. 251, a bill to amend G. S. 47-30(k) to delete Lenoir County so that the State mapping requirements will apply to Lenoir County, with a favorable report.

H. B. 254, a bill to remove 1.899 acres of land from the corporate limits of the Town of Spencer to change the course of a portion of the existing town boundary and de-annex the property which lies on the western side of the new town boundary, with a favorable report.

By Senator Whichard for the **State Government Committee:**

S. B. 109, a bill to amend Chapter 135 of the General Statutes to provide for the inclusion of employees of the North Carolina Art Society in the Teachers' and State Employees' Retirement System, with a favorable report.

H. B. 189, Committee Substitute for **H. B. 189**, a bill to transfer the State Ports Authority and the Navigation and Pilotage Commissions to the Department of Commerce and to amend G. S. 143-216 relating to the creation, membership, appointment and terms of the State Ports Authority and to amend G. S. 143-218 relating to personnel employed by the State Ports Authority, with a favorable report, as amended.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Smith of New Hanover:

S. B. 171, a bill to amend G. S. 160A-274 to authorize New Hanover County to deed real property to the United States.

Referred to **Local Government and Regional Affairs Committee.**

By Senators Marion, Webster, Palmer, Childers, Ballenger, Sharpe, Swain, Daniels, Smith of New Hanover, Britt, Hill, and Barnes:

S. B. 172, a bill to appropriate funds to the Department of Cultural Resources to help establish a state-wide revolving fund for historic preservation.

Referred to **Appropriations Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 83, a bill to amend G. S. 66-58 authorizing the use of public school cafeterias for programs to feed the elderly or handicapped citizens of North Carolina.

Referred to **Human Resources Committee.**

H. B. 215, a bill to provide that a minor may use a driver's license as verification of age for an employment certificate.

Referred to **Manufacturing, Labor and Commerce Committee.**

H. B. 225 a bill to require a certified copy of a certificate of birth be attached to the petition in a legitimation proceeding and be attached to the complaint in an action to establish paternity.

Referred to **Judiciary II Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 45, a bill to permit a married woman's life to be insured for the benefit of her husband or children or both.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 86, a bill to amend Chapter 346, Session Laws of 1973 to authorize the Raleigh Redevelopment Commission to permit disposition of land for a special purpose at fair market value without competitive bidding; to permit disposition of land on the basis other than the highest monetary bid where

such disposition is found to serve the best interest of the municipality and to dispose of property at private sale.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 121, a bill to authorize electronically modulated headlamps on motorcycles and emergency vehicles.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 123, a bill to extend the expiration date of the Fair Access Insurance Plan from December 31, 1977, to December 31, 1980.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

Senator Childers requests to be recorded voting "aye."

S. B. 159, a bill to amend G. S. 7A-133 by adding an additional seat of court for District Court in Lenoir County.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 161, a bill to amend G. S. 7A-133 by adding an additional seat of court for District Court in Robeson County.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 12, a bill to permit county fire marshals and civil defense directors to use warning devices and red lights.

On motion of Senator Britt, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 118, a bill to amend G. S. 55B-2 so as to include registered foresters under the provisions of the Professional Corporation Act.

On motion of Senator Britt, the Committee amendment is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 145, Committee Substitute for H. B. 145, a bill to amend Chapter 341 of the 1975 Session Laws, which prohibits hunting from public highways in Johnston County, so as to make its provisions applicable to Wayne County.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 146, Committee Substitute for H. B. 146, a bill to amend Chapter 342 of the 1975 Session Laws, "An Act to Prevent Hunting Deer with Dogs in Johnston County" so as to make it applicable to Wayne County.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

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H. B. 147, a bill to amend Chapter 343 of the 1975 Session Laws, relating to hunting deer with rifles in Johnston County, so as to make its provisions applicable to Wayne County.

The bill passes its second and third readings and is ordered enrolled.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 12:30 P.M.

THIRTY-SEVENTH DAY

SENATE CHAMBER,
Thursday, March 3, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Almighty God, from Whom all blessings flow, and to Whom praise belongeth, our human limitations remind us each day of our dependence upon Thee. We therefore pray to Thee this day that Thy strength may undergird our weakness, Thy wisdom enlighten our ignorance, Thy courage overcome our fearfulness, and Thy forgiveness cleanse us from our sins. In the Savior's name, we pray. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Jordan, Lake, McDuffie, and Whichard for today and to Senator Webster for tomorrow, March 4. Leaves of absence granted previously to Senators Hill and Sebo are noted.

Pursuant to G. S. 143B-337, the President appoints Senator Joe H. Palmer to serve as a member of the Governor's Crime Commission of the Department of Crime Control and Public Safety, for a two-year term ending March 1, 1979.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Winters for the **Alcoholic Beverage Control Committee:**

H. B. 156, a bill to authorize the Alcoholic Beverage Control Board of Durham County to expend up to twenty percent of total profits for law enforcement, with a favorable report.

H. B. 197, a bill to authorize the qualified voters of the Town of Waxhaw, Union County, to determine whether Alcoholic Beverage Control stores shall be operated in the Town of Waxhaw and to provide for the distribution of revenues raised therefrom, with a favorable report.

By Senator Stallings for the **Education Committee:**

S. B. 57, Committee Substitute for **S. B. 57,** a bill to prescribe rules for the conduct of auction sales of personal property by school boards, with a favorable report.

By Senator Harris for the **Human Resources Committee:**

H. B. 288, a bill to amend G. S. 131-3 to allow the North Carolina Orthopedic Hospital at Gastonia to operate a school, with a favorable report.

On motion of Senator Hardison, the bill is re-referred to the **Appropriations Committee.**

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 133, a bill to provide for the recording and indexing of chattel mortgages made by public utilities, with a favorable report, as amended.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Stallings:

S. J. R. 173, a joint resolution commemorating the ninety-ninth birthday of Fred G. Gillikin, Chief Warrant Officer of the Coast Guard.

On motion of Senator Stallings, the rules are suspended and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second and third readings and is ordered, without objection, sent to the House of Representatives, by special messenger.

By Senator Hardison:

S. B. 174, a bill to amend Chapter 523 of the 1973 Session Laws to provide change only with respect to a project wholly self-liquidating.

Referred to **Appropriations Committee.**

By Senator Harris:

S. B. 175, a bill to authorize the Coroner of Cleveland County to order autopsies to be performed and to complete the medical certification of death with respect to deaths within his jurisdiction.

Referred to **Local Government and Regional Affairs Committee.**

March 3, 1977

By Senator Lawing:

S. B. 176, a bill to amend the laws concerning emergency health care treatment in order to clarify their applicability.

Referred to **Judiciary II Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 91, a bill to permit a surviving spouse of either sex to receive the benefit of the Homestead Exemption.

Referred to **Judiciary II Committee.**

H. B. 92, a bill to amend the Constitution of North Carolina to allow every person the right to insure his or her life for the benefit of his or her spouse or children or both.

Referred to **Constitutional Amendments Committee.**

H. J. R. 213, a joint resolution honoring the life and memory of Hal W. Little, Jr., former member of the General Assembly.

Referred to **Rules and Operation of the Senate Committee.**

H. B. 282, a bill to provide for a second primary and four-year staggered terms for members of the Anson County Board of Education, and the filling of vacancies.

Referred to **Local Government and Regional Affairs Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 79, a bill to empower the City of Mt. Airy to remove particular tracts and parcels of land from established service districts.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 85, Committee Substitute for S. B. 85, a bill to transfer the State Ports Authority and the Navigation and Pilotage Commissions to the Department of Commerce and to amend G. S. 143-216 relating to the creation, membership, appointment and terms of the State Ports Authority and to amend G. S. 143-218 relating to personnel employed by the State Ports Authority.

On motion of Senator Stallings, consideration of the Committee Substitute bill is postponed until tomorrow, March 4.

S. B. 109, a bill to amend Chapter 135 of the General Statutes to provide for the inclusion of employees of the North Carolina Art Society in the Teachers' and State Employees' Retirement System.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 113, a bill to amend G. S. 130-166.18 relating to solid waste disposal.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 146, a bill to incorporate the Town of Belville in Brunswick County, upon second reading.

On motion of Senator Soles, consideration of the bill is postponed until Thursday, March 10.

H. B. 99, a bill to revise and consolidate the Charter of the City of Boiling Spring Lakes in Brunswick County and to repeal prior charter acts, subject to an election, upon second reading.

The bill passes its second reading by roll-call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Kincaid, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, White, and Wynne — 41.

The bill remains on the Calendar upon third reading.

H. B. 158, a bill to amend Chapter 146 of the Session Laws of 1975 regarding the authority of municipalities and political subdivisions of municipalities to use the procedure provided in Article 9 of Chapter 136 of the General Statutes as specifically authorized by G. S. 136-66.3(c), and extending the authority of the City of Statesville to areas without the corporate limits of Statesville, upon second reading.

The bill passes its second reading by roll-call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Henley, Kincaid, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, White, Winters, and Wynne — 40.

The bill remains on the Calendar upon third reading.

H. B. 185, a bill to revise and consolidate the Charter of the Town of Snow Hill and to repeal prior local acts, upon second reading.

The bill passes its second reading by roll-call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Kincaid, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sharpe, Smith of

Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, White, Winters, and Wynne — 41.

The bill remains on the Calendar upon third reading.

H. B. 189, Committee Substitute for **H. B. 189,** a bill to transfer the State Ports Authority and the Navigation and Pilotage Commissions to the Department of Commerce and to amend G. S. 143-216 relating to the creation, membership, appointment and terms of the State Ports Authority and to amend G. S. 143-218 relating to personnel employed by the State Ports Authority.

On motion of Senator Stallings, the Committee amendment is adopted.

Senator Stallings calls the previous question, seconded by Senator Renfrow. The call is sustained.

The Committee Substitute bill, as amended, passes its second reading.

On objection of Senator Crawford to its third reading the Committee Substitute bill, as amended, remains on the Calendar.

H. B. 194, a bill to validate the election of school board members in Duplin County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 214, a bill to authorize the City of Hamlet to lease for 99 years to Hamlet Lions Club a certain lot of land lying on East Hamlet Avenue or U. S. Highway No. 74 East, for civic purposes and activities, with reverter clause.

The bill passes its second and third readings and is ordered enrolled.

H. B. 228, a bill to allow civic and charitable organizations to sponsor or operate the game of bingo in Lincoln County.

On motion of Senator Rauch, consideration of the bill is postponed until Monday, March 7.

H. B. 230, a bill to continue a moratorium on incorporations and annexations in Buncome County, upon second reading.

The bill passes its second reading by roll-call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Kincaid, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, White, Winters, and Wynne — 42.

The bill remains on the Calendar upon third reading.

H. B. 238, a bill to authorize the Board of Commissioners of Rutherford County to establish a county zoo.

The bill passes its second and third readings and is ordered enrolled.

H. B. 243, a bill to abolish the Office of Coroner in Pitt County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 251, a bill to amend G. S. 47-30(k) to delete Lenoir County so that the State mapping requirements will apply to Lenoir County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 254, a bill to remove 1.899 acres of land from the corporate limits of the Town of Spencer to change the course of a portion of the existing town boundary and de-annex the property which lies on the western side of the new town boundary, upon second reading.

The bill passes its second reading by roll-call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Kincaid, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, White, Winters, and Wynne — 42.

The bill remains on the Calendar upon third reading.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 106, an act to modify the method of selection of members of the Greenville City Board of Education.

S. J. R. 173, a joint resolution commemorating the ninety-ninth birthday of Fred G. Gillikin, Chief Warrant Officer of the Coast Guard.

H. B. 145, Committee Substitute for **H. B. 145**, an act to amend Chapter 341 of the 1975 Session Laws, which prohibits hunting from public highways in Johnston County, so as to make its provisions applicable to Wayne County.

H. B. 146, Committee Substitute for **H. B. 146**, an act to amend Chapter 342 of the 1975 Session Laws, "An Act to Prevent Hunting Deer with Dogs in Johnston County" so as to make it applicable to Wayne County.

H. B. 147, an act to amend Chapter 343 of the 1975 Session Laws, relating to hunting deer with rifles in Johnston County, so as to make its provisions applicable to Wayne County.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 10:00 A.M.

THIRTY-EIGHTH DAY

SENATE CHAMBER,
Friday, March 4, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Reverend Steven Shoemaker, Presbyterian Minister for North Carolina State University, Raleigh.

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators McDuffie and Royall for today. A leave of absence granted previously to Senator Webster is noted.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Henley for the **Rules and Operation of the Senate Committee:**

S. J. R. 18, a joint resolution honoring High Point Andrews High School, winner of the North Carolina 4-A Football Championship, with a favorable report.

S. J. R. 50, a joint resolution congratulating and commending the Clayton High School Basketball Team of Clayton for its performance and sportsmanship in winning the State 2-A Conference Basketball Championship in 1976, with a favorable report.

S. J. R. 127, a joint resolution expressing disapproval of permitting PG, R or X-rated pictures to be previewed during the screening of a G-rated motion picture, with a favorable report.

S. J. R. 167, a joint resolution designating the third week in April as "National Library Week" in the General Assembly, with a favorable report, as amended.

H. J. R. 245, a joint resolution honoring the life and memory of William B. Rodman, Jr., a distinguished North Carolinian, with a favorable report.

H. J. R. 253, a joint resolution honoring the life and memory of Homer Brown Tolbert, Sr., former member of the General Assembly, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Stallings:

S. B. 177, a bill to incorporate the Town of Brinson Beach in Pamlico County.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Somers:

S. B. 178, a bill to require prosecutors to furnish to the defense by way of discovery the statements known to the State made by the defendant or codefendant whether or not the prosecutor intends to introduce the statements into evidence at trial.

Referred to **Judiciary I Committee.**

By Senators Jordan, Totherow, and Lawing:

S. B. 179, a bill to establish the North Carolina Insurance Rating Commission to hear and determine rates, forms, and classifications for fire, casualty, legal liability, and miscellaneous insurance lines.

Referred to **Insurance Committee.**

By Senators Allsbrook, Daniels, and White:

S. J. R. 180, a joint resolution honoring the life and memory of Judge W. H. S. Burgwyn.

Referred to **Rules and Operation of the Senate Committee.**

By Senators Harris and Raynor:

S. R. 181, a Senate resolution directing the Senate Committee on Human Resources to study the problems and needs of the aging population and to make recommendations to the General Assembly. In addition to such legislative proposals that may be referred to it by the President of the Senate, and President Pro Tem, the Committee shall scrutinize all legislative proposals which may affect the elderly, and shall on its own initiative make appropriate appearances and representation to other committees.

Referred to **Human Resources Committee.**

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

H. B. 282

HOUSE OF REPRESENTATIVES
March 4, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body requesting the return of House Bill 282, a bill to be entitled an act to provide for a second primary and four-year staggered terms for members of the Anson County

Board of Education, and the filling of vacancies, for further consideration by the House of Representatives.

Respectfully,
GRACE A. COLLINS
Principal Clerk

On motion of Senator Allsbrook the bill is taken from the **Local Government and Regional Affairs Committee** and returned to the House of Representatives.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 54, a bill to amend Chapter 115A, Section 4 of the North Carolina General Statutes to provide regulations for in-plant training.
Referred to **Judiciary I Committee.**

H. B. 79, Senate Committee Substitute for **H. B. 79,** a bill to place Yadkin County under G. S. 14-111.2, relating to obtaining ambulance services without intending to pay, for concurrence in the House amendment which is placed on the Calendar for Monday, March 7.

H. B. 90, a bill to amend the Constitution of North Carolina to permit a surviving spouse of either sex to receive the benefit of the Homestead Exemption.
Referred to **Constitutional Amendments Committee.**

H. B. 104, Senate Committee Substitute for H. B. 104, a bill to place Yadkin County under G. S. 44-51.8 relating to attachment or garnishment for ambulance service in certain counties, for concurrence in the House amendment which is placed on the Calendar for Monday, March 7.

H. B. 119, Committee Substitute for **H. B. 119,** a bill to restructure and rename the Department of Military and Veterans Affairs as the Department of Crime Control and Public Safety.
Referred to **State Government Committee.**

H. B. 175, a bill to set venue for actions to recover a deficiency judgment on a secured debt.
Referred to **Judiciary I Committee.**

H. B. 250, a bill to require operators of vehicles to reduce speed to avoid accident.
Referred to **Judiciary I Committee.**

H. B. 270, a bill to amend the laws relating to costs in civil actions.
Referred to **Finance Committee.**

H. B. 283, a bill to amend Chapter 1073 of the 1959 Session Laws to have Davie County Sheriff issue pistol permits.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 295, a bill authorizing the City of Greensboro to convey a fee simple determinable estate in approximately ten acres of land to the Greensboro Fireman's Club, a nonprofit corporation.

Referred to **Local Government and Regional Affairs Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 57, Committee Substitute for **S. B. 57,** a bill to prescribe rules for the conduct of auction sales of personal property by school boards.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 85, Committee Substitute for **S. B. 85,** a bill to transfer the State Ports Authority and the Navigation and Pilotage Commissions to the Department of Commerce and to amend G. S. 143-216 relating to the creation, membership, appointment and terms of the State Ports Authority and to amend G. S. 143-218 relating to personnel employed by the State Ports Authority.

On motion of Senator Stallings, consideration of the Committee Substitute bill is postponed until Tuesday, March 8.

S. B. 133, a bill to provide for the recording and indexing of chattel mortgages made by public utilities.

On motion of Senator Allsbrook, the Committee amendment is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

H. B. 99, a bill to revise and consolidate the Charter of the City of Boiling Spring Lakes in Brunswick County and to repeal prior charter acts, subject to an election, upon third reading.

The bill passes its third reading by roll-call vote, ayes 34, noes, 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Daniels, Davis, Garrison, Hardison, Harris, Henley, Hill, Jordan, Lake, Lawing, Marion, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Sharpe, Speed, Stallings, Swain, Totherow, Walker, Whichard, White, Winters, and Wynne — 34.

The bill is ordered enrolled.

H. B. 156, a bill to authorize the Alcoholic Beverage Control Board of Durham County to expend up to twenty percent of total profits for law enforcement.

The bill passes its second and third readings and is ordered enrolled.

H. B. 158, a bill to amend Chapter 146 of the Session Laws of 1975 regarding the authority of municipalities and political subdivisions of municipalities to use the procedure provided in Article 9 of Chapter 136 of the General Statutes as specifically authorized by G. S. 136-66.3(c), and extending the authority of the City of Statesville to areas without the corporate limits of Statesville, upon third reading.

The bill passes its third reading by roll-call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Scott, Sebo, Sharpe, Smith of New Hanover, Speed, Swain, Totherow, Walker, Whichard, White, Winters, and Wynne — 39.

The bill is ordered enrolled.

H. B. 185, a bill to revise and consolidate the Charter of the Town of Snow Hill and to repeal prior local acts, upon third reading.

The bill passes its third reading by roll-call vote, ayes 34, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Kincaid, Lake, Marion, Marvin, Mathis, Popkin, Rauch, Raynor, Renfrow, Scott, Sebo, Smith of New Hanover, Speed, Totherow, Walker, Whichard, White, Winters, and Wynne — 34.

The bill is ordered enrolled.

H. B. 189, Committee Substitute for H. B. 189, a bill to transfer the State Ports Authority and Navigation and Pilotage Commissions to the Department of Commerce and to amend G. S. 143-216 relating to the creation, membership, appointment and terms of the State Ports Authority and to amend G. S. 143-218 relating to personnel employed by the State Ports Authority, as amended, upon third reading.

Senator Crawford moves consideration of the Committee Substitute bill as amended, be postponed until Tuesday, March 8, which motion fails to prevail.

The Committee Substitute bill, as amended, passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate amendment, without objection, by special messenger.

H. B. 197, a bill to authorize the qualified voters of the Town of Waxhaw, Union County, to determine whether Alcoholic Beverage Control stores shall be operated in the Town of Waxhaw and to provide for the distribution of revenues raised therefrom.

The bill passes its second and third readings and is ordered enrolled.

H. B. 230, a bill to continue a moratorium on incorporations and annexations in Buncombe County, upon third reading.

The bill passes its third reading by roll-call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Scott, Sebo, Sharpe, Smith of New Hanover, Speed, Swain, Totherow, Walker, Whichard, White, Winters, and Wynne — 39.

The bill is ordered enrolled.

H. B. 254, a bill to remove 1.899 acres of land from the corporate limits of the Town of Spencer to change the course of a portion of the existing town boundary and de-annex the property which lies on the western side of the new town boundary, upon third reading.

The bill passes its third reading by roll-call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Scott, Sebo, Sharpe, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Walker, Whichard, White, Winters, and Wynne — 40.

The bill is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 58, an act to amend Chapter 687 of the Session Laws of 1975 and to limit certain powers of the incorporated Village of Walnut Creek.

S. B. 112, Committee Substitute bill for **S. B. 112**, an act to amend Chapter 936 of the 1963 Session Laws clarifying the duties of the members of the Buncombe County Board of Commissioners.

H. B. 12, an act to permit county fire marshals and civil defense directors to use warning devices and red lights.

H. B. 118, an act to amend G. S. 55B-2 so as to include registered foresters under the provisions of the Professional Corporation Act.

H. B. 194, a bill to validate the election of school board members in Duplin County.

H. B. 214, an act to authorize the City of Hamlet to lease for 99 years to Hamlet Lions Club a certain lot of land lying on East Hamlet Avenue or U. S. Highway No. 74 East, for civic purposes and activities, with reverter clause.

H. B. 238, an act to authorize the Board of Commissioners of Rutherford County to establish a county zoo.

H. B. 243, an act to abolish the Office of Coroner in Pitt County.

H. B. 251, an act to amend G. S. 47-30(k) to delete Lenoir County so that the State mapping requirements will apply to Lenoir County.

On motion of Senator Henley, the Senate adjourns to meet Monday, at 8:00 P.M.

THIRTY-NINTH DAY

SENATE CHAMBER,
Monday, March 7, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Almighty God, we offer again our words of gratitude and praise as we assemble here tonight, recalling Thy great goodness to us, to our State and to our nation. Keep us ever mindful of our rich heritage and of the men and women who made that heritage possible. May we never forget the relationship of that heritage to the faith those forebears of ours possessed, and may that same faith be ours today. In our Lord's name, we pray. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of Friday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Sharpe and Smith of New Hanover for tonight.

The President recognizes the following pages serving in the Senate this week: Bernard Allen, Raleigh,; Anna Atwater, Asheboro; Dale Barwick, Deep Run; Jim Bason, Hillsborough; David Couch, Asheboro; Carla Doran, Hendersonville; Buzzy Gardner, Louisburg; Becky Hedrick, Reidsville; Clarkie Hicks, Charlotte; Cynthia Holcomb, Canton; Ricky Holmes, Willow Springs; Sherrie James, Fayetteville; Bill Loftin, Hillsborough; Erma Mallory, Plymouth; Tony Morris, Charlotte; Ken Murphy, Raleigh; Cindy Rice, Wilmington; Allison Rosser, Charlotte; Kathy Southerland, Wilson; Don Smith, Morganton; Lisa Smith, Raleigh; Sarah Tate, High Point; Carmen Taylor, Raleigh; David West, Winston-Salem; Cecelia Wiggins, Ahoskie; Valerie Willhoit, Chapel Hill; and Cyndie Wilson, Valdese.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed of as follows:

By Senators Popkin, Stallings, Hardison, Garrison, Henley, Daniels, and Harris:

S. B. 182, a bill relating to retirement service credits withdrawn by Marine Fisheries Enforcement Officers of the Department of Natural and Economic Resources.

Referred to **Natural and Economic Resources Committee.**

By Senators Wynne and Hardison:

S. B. 183, a bill to create employment opportunities for blind and/or severely handicapped persons by assuring a market for products and services provided by them, and for other purposes.

Referred to **Human Resources Committee.**

By Senator White:

S. B. 184, a bill to amend G. S. 143-452(g) relating to the license of a pesticide applicator.

Referred to **Agriculture Committee.**

By Senator Smith of New Hanover:

S. B. 185, a bill to include five years' experience as an accountant in G. S. 93-12(5).

Referred to **Judiciary I Committee.**

By Senator Stallings:

S. B. 186, a bill to allow civic and charitable organizations to sponsor or operate the game of bingo in Pamlico County.

Referred to **Local Government and Regional Affairs Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 70, Committee Substitute for H. B. 70, a bill authorizing appointment of a Board of Equalization and Review for Stanly County.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 272, a bill to provide for precinct assistants at the option of boards of elections.

Referred to **Election Laws Committee.**

H. B. 281, a bill to incorporate the Town of Belville in Brunswick County.

Referred to **Local Government and Regional Affairs Committee.**

March 7, 1977

H. B. 296, a bill to amend the Charter of the City of Greensboro, as revised and reorganized by Chapter 1137 of the Session Laws of 1959, as amended.

Referred to **Local Government and Regional Affairs Commitee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. J. R. 18, a joint resolution honoring High Point Andrews High School, winner of the North Carolina 4-A Football Championship.

The joint resolution passes its second and third readings and is ordered sent to the House of Representatives.

S. J. R. 50, a joint resolution congratulating and commending the Clayton High School Basketball Team of Clayton for its performance and sportsmanship in winning the State 2-A Conference Basketball Championship in 1976.

The joint resolution passes its second and third readings and is ordered sent to the House of Representatives.

S. J. R. 127, a joint resolution expressing disapproval of permitting PG, R or X-rated motion pictures to be previewed during the screening of a G-rated motion picture.

The joint resolution passes its second and third readings and is ordered sent to the House of Representatives.

S. J. R. 167, a joint resolution designating the third week in April as "National Library Week" in the General Assembly.

On motion of Senator Henley, the Committee amendment is adopted.

The joint resolution, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

H. B. 79, Senate Committee Substitute for **H. B. 79**, a bill to place Yadkin County under G. S. 14-111.2, relating to obtaining ambulance services without intending to pay, for concurrence in the House amendment.

On motion of Senator Soles, the Senate concurs in the House amendment and the Senate Committee Substitute bill is ordered enrolled.

H. B. 104, Senate Committee Substitute for **H. B. 104**, a bill to place Yadkin County under G. S. 44-51.8 relating to attachment or garnishment for ambulance service in certain counties, for concurrence in the House amendment.

On motion of Senator Soles, the Senate concurs in the House amendment and the Senate Committee Substitute bill is ordered enrolled.

H. B. 228, a bill to allow civic and charitable organizations to sponsor or operate the game of bingo in Lincoln County.

The bill passes its second reading.

On objection of Senator Harris to its third reading the bill remains on the Calendar.

H. J. R. 245, a joint resolution honoring the life and memory of William B. Rodman, Jr., a distinguished North Carolinian.

The joint resolution passes its second and third readings and is ordered enrolled.

H. J. R. 253, a joint resolution honoring the life and memory of Homer Brown Tolbert, Sr., former member of the General Assembly.

The joint resolution passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 99, an act to revise and consolidate the Charter of the City of Boiling Spring Lakes in Brunswick County and to repeal prior charter acts, subject to an election.

H. B. 156, an act to authorize the Alcoholic Beverage Control Board of Durham County to expend up to twenty percent of total profits for law enforcement.

H. B. 158, an act to amend Chapter 146 of the Session Laws of 1975 regarding the authority of municipalities and political subdivisions of municipalities to use the procedure provided in Article 9 of Chapter 136 of the General Statutes as specifically authorized by G. S. 136-66.3(c), and extending the authority of the City of Statesville to areas without the corporate limits of Statesville.

H. B. 185, an act to revise and consolidate the Charter of the Town of Snow Hill and to repeal prior local acts.

H. B. 197, an act to authorize the qualified voters of the Town of Waxhaw, Union County, to determine whether Alcoholic Beverage Control stores shall be operated in the Town of Waxhaw and to provide for the distribution of revenues raised therefrom.

H. B. 230, an act to continue a moratorium on incorporations and annexations in Buncombe County.

H. B. 254, an act to remove 1.899 acres of land from the corporate limits of the Town of Spencer to change the course of a portion of the existing boundary and de-annex the property which lies on the western side of the new town boundary.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 12:30 P.M.

FORTIETH DAY

SENATE CHAMBER,
Tuesday, March 8, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Father Gerald Lewis, Chancellor of the Catholic Diocese of Raleigh.

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Combs for tomorrow, March 9.

Pursuant to G. S. 120-58, the President appoints Senator Carolyn Mathis to serve as a member of the Commission on Children with Special Needs to fill the unexpired term of former Senator Lamar Gudger.

H. B. 91, a bill to permit a surviving spouse of either sex to receive the benefit of the Homestead Exemption.

On motion of Senator Britt the rules are suspended and the bill is taken from the **Judiciary II Committee** and re-referred to the **Constitutional Amendments Committee.**

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator White for the **Agriculture Committee:**

S. B. 184, a bill to amend G. S. 143-452(g) relating to the license of a pesticide applicator, with a favorable report.

By Senator Combs for the **Wildlife Committee:**

H. B. 69, a bill to prevent facilitation of the unlawful taking of deer with the aid of boats by means of placing a restriction upon the possession of firearms aboard motor-propelled vessels in the Meherrin River in a certain designated location, with a favorable report.

H. B. 103, a bill to regulate hunting of European wild boar in Avery, Burke, Caldwell and Watauga Counties, with a favorable report.

H. B. 196, a bill to prohibit the taking of game from certain public highways in Martin County, with a favorable report.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 137, a bill to amend Chapter 101 of the 1973 Session Laws relating to Columbus County sheriffs and police, for concurrence in the House amendments which is placed on the Calendar for tomorrow, March 9.

H. B. 10, Committee Substitute for **H. B. 10**, a bill to incorporate the Town of Navassa in Brunswick County.

Referred to **Local Government and Regional Affairs Committee.**

H. J. R. 56, a joint resolution honoring High Point Andrews High School, winner of the North Carolina 4-A Football Championship.

Referred to **Rules and Operation of the Senate Committee.**

H. B. 102, a bill to give security guards permission to use mace.

Referred to **Law Enforcement and Crime Control Committee.**

H. B. 299, a bill to amend Chapter 341, Session Laws of 1975, so as to make it applicable to Rowan County.

Referred to the **Wildlife Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 85, Committee Substitute for **S. B. 85**, a bill to transfer the State Ports Authority and the Navigation and Pilotage Commissions to the Department of Commerce and to amend G. S. 143-216 relating to the creation, membership, appointment and terms of the State Ports Authority and to amend G. S. 143-218 relating to personnel employed by the State Ports Authority.

On motion of Senator Stallings the Committee Substitute bill is postponed indefinitely.

H. B. 228, a bill to allow civic and charitable organizations to sponsor or operate the game of bingo in Lincoln County.

The bill passes its third reading and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. J. R. 8, a joint resolution honoring Pisgah High School, consecutive winner of the North Carolina 3-A Football Championship, Franklin High School, winner of the North Carolina 2-A Football Championship, and

Robbinsville High School, winner of the North Carolina 1-A Football Championship.

H. B. 79, Senate Committee Substitute for **H. B. 79,** an act to place Yadkin County under G. S. 14-111.2, relating to obtaining ambulance services without intending to pay.

H. B. 104, Senate Committee Substitute for **H. B. 104,** an act to place Yadkin County under G. S. 44-51.8 relating to attachment or garnishment for ambulance service in certain counties.

H. B. 189, Committee Substitute for **H. B. 189,** an act to transfer the State Ports Authority and Navigation and Pilotage Commissions to the Department of Commerce and to amend G. S. 143-216 relating to the creation, membership, appointment and terms of the State Ports Authority and to amend G. S. 143-218 relating to personnel employed by the State Ports Authority.

H. J. R. 245, a joint resolution honoring the life and memory of William B. Rodman, Jr., a distinguished North Carolinian.

H. J. R. 253, a joint resolution honoring the life and memory of Homer Brown Tolbert, Sr., former member of the General Assembly.

On motion of Senator Henley, the Senate adjourns to meeet tomorrow at 1:00 P.M.

FORTY-FIRST DAY

SENATE CHAMBER,
Wednesday, March 9, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Reverend R. Dean Ramey, Minister of Saint John's Baptist Church, Raleigh.

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Smith of New Hanover, Marion, and Vickery for today and to Senators Vickery and Davis for tomorrow, March 10. Senator Davis is granted a leave of absence for Friday, March 11. A leave of absence previously granted to Senator Combs is noted.

His Excellency Kewal Singh, Ambassador to the United States from India, and his wife are extended courtesies of the floor by the President. On motion of Senator Henley, the rules are suspended to allow the Wake delegation, Senators Wynne, Winters, and Lake, to escort the Ambassador to the Well of the Senate where His Excellency, Mr. Singh, briefly addresses the Senate expressing appreciation for the courtesies extended him.

Pursuant to G. S. 120-99, the President appoints Senator W. Craig Lawing as Chairman and Senators Joe B. Raynor, John W. Winters, Donald R. Kincaid, and T. Cass Ballenger as members of the Legislative Ethics Committee for a two-year term.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Winters for the **Alcoholic Beverage Control Committee:**

S. B. 170, a bill to amend G. S. 18A-52 by adding a new subsection defining "restaurant", with a favorable report.

H. B. 152, Committee Substitute for **H. B. 152,** a bill to permit the County Commissioners of Currituck County to appoint the Currituck County Board of Alcoholic Control, with a favorable report.

By Senator Soles for the **Local Government and Regional Affairs Committee:**

S. B. 143, a bill to amend G. S. 153A-335 to modify authority of Pamlico County to regulate the subdivision of land, with a favorable report.

S. B. 175, a bill to authorize the Coroner of Cleveland County to order autopsies to be performed and to complete the medical certification of death with respect to deaths within his jurisdiction, with a favorable report.

S. B. 177, a bill to incorporate the Town of Brinson Beach in Pamlico County, with a favorable report.

S. B. 186, a bill to allow civic and charitable organizations to sponsor or operate the game of bingo in Pamlico County, with a favorable report.

H. B. 10, Committee Substitute for **H. B. 10,** a bill to incorporate the Town of Navassa in Brunswick County, with a favorable report.

H. B. 46, a bill to revise, consolidate and restate the Charter of the City of Conover and to repeal all prior charter acts, with a favorable report.

H. B. 70, Committee Substitute for **H. B. 70,** a bill authorizing appointment of a Board of Equalization and Review for Stanly County, with a favorable report, as amended.

H. B. 281, a bill to incorporate the Town of Belville in Brunswick County, with a favorable report.

H. B. 283, a bill to amend Chapter 1073 of the 1959 Session Laws to have Davie County Sheriff issue pistol permits, with a favorable report.

H. B. 295, a bill authorizing the City of Greensboro to convey a fee simple determinable estate in approximately ten acres of land to the Greensboro Fireman's Club, a nonprofit corporation, with a favorable report.

H. B. 296, a bill to amend the Charter of the City of Greensboro, as revised and reorganized by Chapter 1137 of the Session Laws of 1959, as amended, with a favorable report.

By Senator Henley for the **Rules and Operation of the Senate Committee:**

S. R. 169, a Senate Resolution adopting the permanent rules of the Senate for the 1977 Session of the General Assembly of North Carolina, with an unfavorable report as to resolution, but favorable as to Committee Substitute resolution.

On motion of Senator Henley, the rules are suspended and the Committee Substitute resolution is placed on today's Calendar.

S. J. R. 180, a joint resolution honoring the life and memory of Judge W. H. S. Burgwyn, with a favorable report.

By Senator Whichard for the **State Government Committee:**

H. B. 119, Committee Substitute for **H. B. 119**, a bill to restructure and rename the Department of Military and Veterans Affairs as the Department of Crime Control and Public Safety, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senators Webster, Stallings, Childers, Daniels, Combs, Alford, Harrington, White, Jordan, Raynor, Gray, Royall, Harris, Hardison, Renfrow, Vickery, Hill, Henley, Rauch, and Garrison:

S. B. 187, a bill to amend and to correct omissions and internal inconsistencies in Chapter 159B of the General Statutes.

Referred to **Public Utilities and Energy Committee.**

By Senator Barnes:

S. B. 188, a bill to rewrite G. S. 153A-233 concerning county fire protection.

Referred to **Local Government and Regional Affairs Committee.**

By Senators McDuffie, Lawing, Barnes, Harrington, Britt, Daniels, Renfrow, Hill, and Crawford:

S. B. 189, a bill to amend Article 31 of Chapter 143 of the General Statutes to provide for the defense of school bus maintenance mechanics in civil actions alleging negligence.

Referred to **Judiciary I Committee.**

By Senator Renfrow:

S. B. 190, a bill to amend G. S. 7A-133 to provide an additional magistrate for Sampson County.

Referred to **Courts and Judicial Districts Committee.**

By Senators Alford, Stallings, Totherow, Henley, Harrington, Speed, Hardison, Harris, Jordan, and Popkin:

S. B. 191, a bill to amend G. S. 58-291 by increasing the maximum amount of death benefits payable by fraternal societies exempt from Article 28, Chapter 58.

Referred to **Insurance Committee.**

By Senators Combs and Ballenger:

S. B. 192, a bill to prohibit the public display of sexually explicit material in establishments frequented by minors.

Referred to **Judiciary II Committee.**

By Senators Barnes, Alford, Hardison, Whichard, Vickery, Marvin, Winters, Smith of New Hanover, Smith of Guilford, Renfrow, Soles, Swain, Britt, McDuffie, Lawing, Speed, Popkin, Daniels, and Ballenger:

S. B. 193, a bill to amend G. S. 7A-101 to provide salary raises for superior court clerks.

Referred to **Courts and Judicial Districts Committee.**

By Senator Soles:

S. B. 194, a bill to appropriate funds from the General Fund to employ and compensate additional magistrates in Bladen and Brunswick Counties.

Referred to **Courts and Judicial Districts Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 65, a bill to make isolated amendments to the General Statutes, for concurrence in the House amendments which is placed on the Calendar for tomorrow, March 10.

H. B. 277, a bill to amend G. S. 51-3 to remove references to race and to clarify its provisions.

Referred to **Judiciary II Committee.**

H. J. R. 343, a joint resolution concerning the need for federal legislation to eliminate the financial hardships imposed upon certain aged and disabled

persons in receipt of disability and death benefits from the Veterans Administration due to periodic increases in Social Security monetary benefits.

Referred to **Human Resources Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 137, a bill to amend Chapter 101 of the 1973 Session Laws relating to Columbus County sheriffs and police, for concurrence in the House amendments.

On motion of Senator Soles, the Senate concurs in the House amendments and the bill is ordered enrolled.

S. R. 169, Committee Substitute for **S. R. 169,** a Senate resolution adopting the permanent rules of the Senate for the 1977 Session of the General Assembly of North Carolina.

On motion of Senator Henley, the Committee Substitute resolution is accepted and placed on the Calendar for tomorrow, March 10, for adoption.

S. B. 184, a bill to amend G. S. 143-452(g) relating to the license of a pesticide applicator.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 69, a bill to prevent facilitation of the unlawful taking of deer with the aid of boats by means of placing a restriction upon the possession of firearms aboard motor-propelled vessels in the Meherrin River in a certain designated location.

The bill passes its second and third readings and is ordered enrolled.

H. B. 103, a bill to regulate hunting and European wild boar in Avery, Burke, Caldwell and Watauga Counties.

The bill passes its second and third readings and is ordered enrolled.

H. B. 196, a bill to prohibit the taking of game from certain public highways in Martin County.

On motion of Senator White, consideration of the bill is postponed until Wednesday, March 16.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 228, an act to allow civic and charitable organizations to sponsor or operate the game of bingo in Lincoln County.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:00 P.M.

March 9, 1977

FORTY-SECOND DAY

SENATE CHAMBER,
Thursday, March 10, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Reverend Robert L. Weatherspoon, Jr., Pastor of Longview Baptist Church, Raleigh, as follows:

"O Lord, source of life, fountain of power, essence of truth, we thank Thee for the trust and freedom of governing ourselves.

"Grant us wisdom and help us to see more than the flat surface of truth; help us to see the more obscure dimensions that are just as real.

"Grant us clear minds, seeing eyes, listening ears, like unto Thine.

"May we deal with others accordingly as Thou hast dealt with us.

"May our sense of justice and equity be tempered with compassion.

"Bless these Senators, bless our State and our people. May we all be found faithful unto Thee and unto Thy precepts. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Harris and Daniels for tomorrow, March 11. Leaves of absence granted previously to Senators Davis and Vickery are noted.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hill for the **Constitutional Amendments Committee:**

H. B. 90, a bill to amend the Constitution of North Carolina to permit a surviving spouse of either sex to receive the benefit of the Homestead Exemption, with a favorable report.

H. B. 91, a bill to permit a surviving spouse of either sex to receive the benefit of the Homestead Exemption, with a favorable report.

By Senator Stallings for the **Education Committee:**

S. B. 78, a bill to make public school teachers and employees eligible to serve as members of county and city boards of education other than those boards which are their employers, with a favorable report.

By Senator Harris for the **Human Resources Committee:**

S. R. 181, a Senate resolution directing the Senate Committee on Human Resources to study the problems and needs of the aging population and to make recommendations to the General Assembly. In addition to such legislative proposals that may be referred to it by the President of the Senate, and President Pro Tem, the Committee shall scrutinize all legislative proposals which may affect the elderly, and shall on its own initiative make appropriate appearances and representation to other committees, with recommendation that it be adopted.

On motion of Senator Harris, the resolution is placed on the Calendar for Monday, March 14.

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 38, a bill to amend G. S. Chapter 105 to remove sex discrimination from certain revenue laws, with a favorable report.

On motion of Senator Allsbrook, the bill is re-referred to the **Finance Committee.**

S. B. 185, a bill to include five years' experience as an accountant in G. S. 93-12(5), with a favorable report.

On motion of Senator Allsbrook, the bill is placed on the Calendar for Monday, March 14.

H. B. 207, a bill relating to the games of "bingo" and "skilo" in Chowan, Jones, Pamlico, Union and Cabarrus Counties, with a favorable report, as amended.

H. B. 223, a bill to provide for assignments of claims against the State for legal services, with a favorable report.

On motion of Senator Allsbrook, the bill is placed on the Calendar for Monday, March 14.

By Senator Britt for the **Judiciary II Committee:**

S. B. 82, a bill to be known as the North Carolina Commercial Fertilizer Law, with a favorable report, as amended.

On motion of Senator Britt, the bill is re-referred to the **Finance Committee.**

S. B. 87, a bill to provide prejudgment interest in tort actions, with an unfavorable report.

H. B. 81, a bill to amend G. S. 20-179 to provide that the presiding judge of the superior court may receive limited driving privilege applications, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Britt, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

H. B. 225, a bill to require a certified copy of a certificate of birth be attached to the petition in a legitimation proceeding and be attached to the complaint in an action to establish paternity, with a favorable report.

March 10, 1977

By Senator Childers for the **Manufacturing, Labor and Commerce Committee:**

H. B. 215, a bill to provide that a minor may use a driver's license as verification of age for an employment certificate, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutins are read the first time and disposed of as follows:

By Senators Davis, Totherow, Renfrow, Harris, Marion, Sharpe, Henley, Combs, Whichard, Wynne, Winters, Stallings, Childers, Mathis, Marvin, and McDuffie:

S. B. 195, a bill to amend G. S. 20-179(a) to increase the punishment for driving under the influence of intoxicating liquor, narcotic drugs, or other impairing drugs and to amend G. S. 15A-511(a)(3) relating to a defendant's appearance before a magistrate.

Referred to **Judiciary II Committee.**

By Senators Davis and Totherow:

S. B. 196, a bill appropriating funds to the Department of Cultural Resources for the use of Old Salem in interpreting the history and culture of Eighteenth Century Piedmont North Carolina for school children and adult visitors.

Referred to **Appropriations Committee.**

By Senators Davis and Totherow:

S. B. 197, a bill to amend G. S. 74B-3 relating to the "Private Protective Services".

Referred to **Judiciary II Committee.**

By Senators Davis, Totherow, McDuffie, and Palmer:

S. B. 198, a bill to delete the requirement that a former P.O.W. have entered service from North Carolina in order to qualify for a P.O.W. license plate.

Referred to **Judiciary II Committee.**

By Senators Whichard and Allsbrook:

S. B. 199, a bill to amend Chapter 84 of the General Statutes of North Carolina relating to attorneys.

Referred to **Judiciary I Committee.**

By Senator Henley:

S. J. R. 200, a joint resolution recognizing and congratulating Fayetteville State University for the many contributions it has made in the past one hundred years.

Referred to **Rules and Operation of the Senate Committee.**

March 10, 1977

By Senator Davis:

S. B. 201, a bill to amend G. S. 25-9-403(7), concerning the filing of a financing statement covering timber to be cut.

Referred to **Judiciary II Committee.**

By Senator Davis:

S. B. 202, a bill to amend G. S. 55A-15(a)(8) of the General Statutes and to add new G. S. 55A-17.1, G. S. 55A-17.2, and G. S. 55A-17.3 concerning indemnification of officers and directors of nonprofit corporations.

Referred to **Judiciary II Committee.**

By Senator Davis:

S. B. 203, a bill to repeal G. S. 55A-86 of the General Statutes and to add new G. S. 55A-33.1 concerning action by members of nonprofit corporation without a meeting.

Referred to Judiciary II Committee.

By Senator Davis:

S. B. 204, a bill to create a new Chapter 78B concerning tender offers.

Referred to Judiciary II Committee.

By Senator Davis:

S. B. 205, a bill to amend G. S. 55B-7(b) of the General Statutes providing for the method of disposition of stock in a professional corporation upon the death or disqualification of such shareholder.

Referred to Judiciary II Committee.

By Senators Marvin, Rauch, and Harris:

S. B. 206, a bill relating to the meetings of and the Clerk to the Gaston County Board of Commissioners.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Crawford:

S. B. 207, a bill to provide full salary for two years for State Highway Patrolmen injured in line of duty.

Referred to **Law Enforcement and Crime Control Committee.**

By Senators Ballenger and Somers:

S. B. 208, a bill to require certification that vehicle is listed for taxes before registration plate can be issued.

Referred to **Judiciary I Committee.**

By Senators Alexander, Ballenger, Combs, and Barnes:

S. B. 209, a bill to establish the North Carolina Code Officials Qualification Board and to provide for more even enforcement of the State Building Code throughout North Carolina.

Referred to **Local Government and Regional Affairs Committee.**

March 10, 1977

By Senators Marvin, Rauch, and Harris:

S. B. 210, a bill to amend Chapter 16, Session Laws of 1957 relating to the Gaston County Rural Police Force.

Referred to **Local Government and Regional Affairs Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. J. R. 17, a joint resolution congratulating and commending the East Bladen High School Senior Band of Elizabethtown for being selected to represent North Carolina in the National Inaugural Parade.

Referred to **Rules and Operation of the Senate Committee.**

H. B. 85, a bill to amend G. S. Chapter 105 to remove sex discrimination from certain revenue laws.

Referred to **Finance Committee.**

H. J. R. 210, a joint resolution honoring the life, service and memory of James Larkin Pearson.

Referred to **Rules and Operation of the Senate Committee.**

H. B. 315, a bill to require the immunization of children against rubella.

Referred to **Human Resources Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 65, a bill to make isolated amendments to the General Statutes, for concurrence in the House amendments.

On motion of Senator Smith of New Hanover, the Senate concurs in the House amendments and the bill is ordered enrolled.

S. B. 143, a bill to amend G. S. 153A-335 to modify authority of Pamlico County to regulate the subdivision of land.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 146, a bill to incorporate the Town of Belville in Brunswick County, upon second reading.

On motion of Senator Soles, consideration of the bill is postponed until Tuesday, March 15.

S. R. 169, Committee Substitute for S. R. 169, a Senate Resolution adopting the permanent rules of the Senate for the 1977 Session of the General Assembly of North Carolina, for adoption.

On motion of Senator Henley, the Senate Committee Substitute resolution is adopted.

March 10, 1977

The permanent rules of the Senate for the 1977 Session are as follows:

PERMANENT RULES OF THE 1977 SENATE GENERAL ASSEMBLY OF NORTH CAROLINA

I. Order of Business, Rules 1-7
II. Conduct of Debate, Rules 8-17
III. Motions, Rules 18-24
IV. Voting, Rules 25-30
V. Committees, Rules 31-37
VI. Handling Bills, Rules 38-59
VII. Legislative Officers and Employees, Rules 60-65
VIII. General Rules, Rules 66-67

I. ORDER OF BUSINESS

RULE 1. **Rules controlling the Senate of North Carolina and its Committees.** — The following rules shall govern and control all actions and procedures of the Senate and its committees.

RULE 2. **Convening hour.** — The President shall take the chair at the hour fixed by the Senate upon adjournment on the preceding legislative day, and shall call the members to order. In case the Senate adjourned on the preceding legislative day without having fixed the hour of reconvening, the Senate shall reconvene on the next legislative day at 1:00 p.m.

RULE 3. **Opening the session.** — The President shall, upon order being obtained, have the sessions of the Senate opened with prayer.

RULE 4. **Convening in absence of President.** — In the absence of the President, the President pro tempore shall reconvene the Senate and preside, and during such time shall be vested with all powers of the President except that of casting a vote in case of tie when he has already voted on the question as a Senator. In the event of the absence of the President and President pro tempore at any time fixed for the reconvening of the Senate, the Principal Clerk of the Senate, or in his absence also, some member of the Senate Committee on Rules and Operation of the Senate, shall call the Senate to order and designate some member to act as President.

RULE 5. **Quorum.** — (a) A quorum consists of a majority of all the qualified members of the Senate.

(b) When a lesser number than a quorum convene, the Senators present may send the doorkeeper or any person, for any or all absent Senators, as a majority of the Senators present determine.

RULE 6. **Approval of Journal.** — After the prayer, and upon appearance of a quorum, the President shall cause the Journal of the preceding day to be read and approved, unless the Chairman of the Committee on Rules and Operation of the Senate or some member of the Senate by motion sustained by a majority of the members present, has the reading thereof dispensed with and the same approved as written.

March 10, 1977

RULE 7. **Order of business.** — After approval of the Journal, the order of business shall be as follows:

(1) Reports of standing committees.
(2) Reports of select committees.
(3) Introduction of bills, petitions, and resolutions.
(4) Messages from the House of Representatives.
(5) Unfinished business of preceding day.
(6) Special orders.
(7) General Orders:
    (a) Local bills in numerical order, Senate bills first
        (i) Third reading roll call and electronic voting system votes
        (ii) Second reading roll call and electronic voting system votes
        (iii) Second reading *viva voce*
        (iv) Third reading *viva voce*
    (b) Public bills in numerical order, Senate bills first
        (i) Third reading roll call and electronic voting system votes
        (ii) Second reading roll call and electronic voting system votes
        (iii) Second reading *viva voce*
        (iv) Third reading *viva voce*

II. CONDUCT OF DEBATE

RULE 8. **President to maintain order.** — The President shall have general direction of the Hall of the Senate and shall be authorized to take such action as is necessary to maintain order, and in case of any disturbance or disorderly conduct in the galleries or lobbies, he shall have the power to order those areas cleared.

RULE 9. **Substitution for President.** — The President shall have the right to call on any member to perform the duties of the Chair, but substitution shall not extend beyond one day.

RULE 10. **Points of order.** — (a) The President shall preserve order and decorum and proceed with the business of the Senate according to the rules adopted. He shall decide all questions of order, subject to an appeal to the Senate by any member, on which appeal no member shall speak more than once unless by leave of the Senate. A two-thirds vote of the members present is necessary to sustain any appeal from the ruling of the Chair.

(b) In the event the Senate Rules do not provide for, or cover any point of order raised by any Senator, the rules of the United States House of Representatives shall govern.

(c) When a Senator is called to order he shall take his seat until the President determines whether he was in order or not; if decided to be out of order, he shall not proceed without the permission of the Senate; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator; and if a Senator is called to order for words spoken, the words excepted to shall be immediately taken down in writing, that the President or Senate may be better able to judge the matter.

RULE 11. **Debating and voting by Lieutenant Governor.**—The Lieutenant Governor, as President of the Senate, being a Constitutional Officer shall not have the right to debate any question or to address the Senate upon any proposition unless by permission of the majority of members present, and shall have the right to vote only when there is a tie vote upon any question or election.

RULE 12. **Obtaining recognition.** — (a) When any Senator is about to speak in debate or deliver any matter to the Senate, he shall rise from his seat and respectfully address the President. No member shall speak until recognized by the President, and when two or more members rise at the same time, the President shall name the member to speak.

(b) A Senator who has the floor may yield the floor to another Senator only for the purpose of allowing another Senator to state a question. Only the Chair may award the floor to any Senator for the purposes of allowing that Senator to engage in general debate.

RULE 13. **Recognition for extending courtesies.** — (a) Courtesies of the floor and galleries shall be extended only by the President on his own motion or upon the written request of a member of the Senate to former members of the General Assembly or to distinguished visitors.

(b) Members may designate Honorary Pages by a statement delivered to the Principal Clerk who will have a certificate issued therefor.

(c) The President may upon written request at intervals between various orders of business extend courtesies to schools or other special large groups visiting in the galleries while they are present, and the President shall, at such times as he deems appropriate, express to those visitors in the galleries the pleasure of the Senate for their presence.

RULE 14. **Limitations on individual debate.** — (a) No Senator shall speak or debate more than three times nor longer than forty-five minutes on the same day on the same subject without leave of the Senate.

(b) By permission of the President any member of the Senate may address the Senate from the lectern located on the floor before the dais for the purpose of explaining a bill or resolution, stating a point of personal privilege or for the purpose of debate.

RULE 15. **Priority of Business.** — All questions relating to priority of business shall be decided without debate.

RULE 16. **Reading of papers.** — When the reading of a paper, other than a petition, is called for, and any Senator objects to the reading, the question shall be determined by the Senate without debate.

RULE 17. **General decorum.** — (a) Senators and visitors shall uncover their heads upon entering the Senate Chamber while the Senate is in session and shall continue uncovered during their continuance in the Chamber, unless one's religion requires his head to be covered.

(b) No remark reflecting personally upon the action of any Senator shall be in order upon the floor of the Senate unless preceded by a motion or resolution of censure.

(c) When the President is putting a question, or a division by counting is in progress, no Senator shall walk out of or across the Chamber, nor when a Senator is speaking, pass between him and the President.

(d) When a motion to adjourn or for recess is affirmatively determined, no member or officer shall leave his place until adjournment or recess is declared by the President.

(e) Smoking shall not be allowed in the galleries of the Senate during sessions. Smoking shall not be allowed on the floor of the Senate during the first hour of the session.

(f) No remark soliciting the donation of funds for the support of any person or organization shall be in order upon the floor of the Senate, unless the remark has some relevance to a bill or resolution before the body.

III. MOTIONS

RULE 18. **Motions generally.** — All motions shall be reduced to writing, if desired, by the President or a Senator, delivered at the table, and read by the President or Reading Clerk before the same are debated; but any motion may be withdrawn by the introducer at any time before decision or amendment. Except as otherwise specifically provided in these rules, no second is required.

RULE 19. **Motion; order of precedence.** — When a question is before the Senate no motion shall be received except those herein specified, which motions shall have precedence as follows:

(1) To adjourn.
(2) To lay on the table.
(3) For the previous question.
(4) To postpone indefinitely.
(5) To postpone to a certain day.
(6) To commit to a standing committee.
(7) To commit to a select committee.
(8) To amend.
(9) To substitute.

RULE 20. **Motions to adjourn and to lay on the table.** — The motions to adjourn and to lay on the table shall be decided without debate, and the motion to adjourn shall always be in order when made by a Senator entitled to the floor.

RULE 21. **Motions to postpone to certain day and to commit.** — The respective motions to postpone to a certain day, or to commit to a standing or select committee, shall preclude debate on the main question.

RULE 22. **Action when previous question pending.** — When a motion for the previous question is made and is pending, debate shall cease. After a motion for the previous question is made, pending a second thereto, any member may give notice that he desires to offer an amendment to the bill or other matter under consideration; and after the previous question is

seconded such member shall be entitled to offer his amendment in pursuance of such notice.

RULE 23. **Motion for previous question.** — The previous question shall be as follows: "Shall the main question be now put?" and until it is decided shall preclude all amendments and debate. If this question is decided in the affirmative, the "main question" shall be on the passage of the bill, resolution, or other matter under consideration; but when amendments are pending, the question shall be taken upon such amendments in their inverse order, without further debate or amendment: Provided, that no one shall move the previous question except the chairman of the committee submitting the report on the bill or other matter under consideration, and the member introducing the bill or other matter under consideration or the member in charge of the measure, who shall be designated by the chairman of the committee reporting the same to the Senate at the time the bill or other matter under consideration is reported to the Senate or taken up for consideration.

RULE 24. **Motion to reconsider.** — When a question has been once put and decided, any Senator who voted in the majority may move to reconsideration thereof; but no motion for the reconsideration of any vote shall be in order after the bill, resolution, message, report, amendment, or motion upon which the vote was taken has gone out of the possession of the Senate; nor shall any motion for reconsideration be in order unless made on the same day or in the next following legislative day on which the vote proposed to be reconsidered took place, unless the motion is made by the Committee on Rules and Operation of the Senate for verbal or grammatical errors in the bills, when the motion may be made at any time: Provided, that when the next legislative day has by motion of the Senate, been restricted as to matters which may be considered, a motion to reconsider shall be in order on the next succeeding day upon which regular business is conducted. No question shall be reconsidered more than once.

IV. VOTING

RULE 25. **Use of electronic voting system.** — (a) Votes on the following questions shall be taken on the electronic voting system, and the ayes and noes shall be recorded on the Journal:

(1) All questions on which the Constitution of North Carolina requires that the ayes and noes be taken and recorded on the Journal.

(2) All questions on which a call for the ayes and noes under Rule 26(b) has been sustained.

(3) Both second and third readings of bills proposing amendment of the Constitution of North Carolina.

(b) Votes on the following questions shall be taken on the electronic voting system, and a copy of the machine print-out of the votes shall be filed in the Legislative Library where it shall be open to public inspection:

(1) Second reading of all public bills, all amendments to public bills offered after second reading, third reading if a public bill was

amended after second reading, and all conference reports on public bills.

(2) Any other question upon direction of the Chair or upon motion of any Senator supported by one-fifth of the Senators present.

(c) When the electronic voting system is used, the Chair shall fix and announce the time, not to exceed one minute, which shall be allowed for voting on the question before the Senate. The system shall be set to lock automatically and to record the vote when that time has expired. Once the system has locked and recorded a vote, the vote shall be printed by the system.

(d) The voting station at each Senator's desk in the Chamber shall be used only by the Senator to which the station is assigned. Under no circumstances shall any other person vote at a Senator's station. It is a breach of the ethical obligation of a Senator either to request that another vote at the requesting Senator's station, or to vote at another Senator's station. The Chair shall enforce this rule without exception.

(e) When the electronic voting system is used, the Chair shall state the question and shall then state substantially the following: "All in favor vote 'aye'; all opposed vote 'no'; ———— seconds will be allowed for voting on this question; the Clerk will unlock the machine." After the machine locks and records the vote, the Chair shall announce the vote and declare the result.

(f) One copy of the machine print-out of the vote record shall be filed in the office of the Principal Clerk, and one copy shall be filed in the Legislative Library where it shall be open to public inspection.

(g) When the Chair ascertains that the electronic voting system is inoperative before a vote is taken or while a vote is being taken on the electronic sytem, he shall announce that fact to the Senate and any partial electronic system voting record shall be voided. In such a case, if the Constitution of North Carolina or the Rules of the Senate require a call of the ayes and noes, the Clerk shall call the roll of the Senate, and the ayes and noes shall be taken manually and shall be recorded on the Journal. All other votes shall be taken by voice vote as prescribed in Senate Rule 26(a). If, after a vote is taken on the electronic system, it is discovered that a malfunction caused an error in the electronic system print-out, the Chair shall direct the Reading Clerk and the Principal Clerk to verify and correct the print-out record and so advise the Senate.

(h) For the purpose of identifying motions on which the vote is taken on the electronic system (the identification codes having no relation to the order of precedence of motions), the motions are coded as follows:

1. To lay on the table.
2. For the previous question.
3. To postpone indefinitely.
4. To postpone to a day certain.
5. To refer to a committee.
6. To reconsider.
7. To adopt.
8. To concur.

9. To take from the table.
10. Miscellaneous.

RULE 26. **Voice votes; call for ayes and noes.** — (a) When the electronic voting system is not used, all votes on which a call of the roll of the Senate is not required shall be taken by voice vote. The question shall be put as follows: "Those in favor say 'aye'," and, after the affirmative vote is expressed, "Opposed 'no' "; after which the Chair shall announce the result. If a division on any vote is desired, it must be called for immediately before the result of the voting is announced on any question, and upon such call, the Chair shall require the members to stand and be counted for and against the proposition under consideration.

(b) The ayes and the noes may be called for on any question before the vote is taken. If a Senator desires the ayes and noes recorded on the Journal on a question, he shall address the Chair and obtain recognition and say "Upon that question I call for the ayes and noes." Whereupon the Chair shall say, "Is the call sustained?" If one-fifth of the Senators present then stand, the vote shall be taken on the electronic voting system if it is operative, and the ayes and noes shall be recorded on the Journal. If the electronic voting system is inoperative, the roll of the Senate shall be called and the ayes and noes taken manually and recorded on the Journal. If fewer than one-fifth of the Senators present stand to sustain the call, the Chair shall announce "An insufficient number up" and a vote by electronic voting or by voice, whichever is appropriate under the Rules of the Senate, shall be taken.

RULE 27. **Pairs.** — If a Senator is paired with another Senator on a question, the Senator shall announce the pair as follows: "Mr. President, I desire to announce a pair. If Senator ———————— were present, he would vote ———; I would vote ——— (the opposite)." The Senator shall send forward at that time a written statement of the pair on a form provided by the Principal Clerk and neither member of the pair shall vote on the question. A pair shall be announced before the vote is taken *viva voce,* or if the electronic voting system is used, before the machine is unlocked. The Clerk shall record the pair on the Journal when the Constitution or Rules of the Senate require a call of the roll and shall record on the electronic system print-out all pairs announced.

RULE 28. **Dividing question.** — If any question contains several distinct propositions, it shall be divided by the President, at the request of any Senator, provided each subdivision, if left to itself, forms a substantive proposition.

RULE 29. **Duty to vote; excuses.** — (a) Every Senator who is within the bar of the Senate when the question is stated by the Chair shall vote thereon unless he is excused by the Senate. The bar of the Senate shall include the entire Senate Chamber.

(b) Any Senator may request to be excused from voting, either immediately before or after the vote has been called for and before a *viva voce* vote result has been announced or before the electronic voting system has

been unlocked. The Senator may make a brief statement of the reasons for making such request, and shall send forward to the Principal Clerk, on a form provided by the Clerk, a concise statement of the reason for the request, and the Clerk shall include this statement in the Journal. The question on granting of the request shall be taken without debate.

RULE 30. **Explanation of vote.** — Any Senator may explain his vote on any bill pending by obtaining permission of the President before the vote is taken: Provided, that not more than three minutes shall be consumed in such explanation.

V. COMMITTEES

RULE 31. **Appointment of Committees.** — The President of the Senate, unless he has by law disqualified himself from that office, shall have the exclusive right and authority to appoint all committees, regular or select, and to appoint Committee Chairmen and Vice-Chairmen, but he may delegate said authority in any instance, as he may choose. Upon the recommendation of the Committee on Rules and Operation of the Senate, the Senate may authorize additional standing committees.

RULE 32. **List of Standing Committees.** — The standing committees shall be:

Agriculture
Alcoholic Beverage Control
Appropriations
  Appropriations Committee on Human Resources and Corrections
  Appropriations Committee on Education
  Appropriations Committee on General Government and Transportation
Base Budget
Banking
Constitutional Amendments
Courts and Judicial Districts
Criminal Justice
Economy
Education
Election Laws
Finance
Higher Education
Human Resources
Insurance
Judiciary I
Judiciary II
Law Enforcement and Crime Control
Local Government and Regional Affairs
Manufacturing, Labor and Commerce
Natural and Economic Resources
Public Utilities and Energy
Rules and Operation of the Senate

State Government
Transportation
University Board of Governors
Veterans and Military Affairs
Ways and Means
Wildlife

RULE 33. **Notice of Committee Meetings.**—Public notice of all committee meetings shall be given in the Senate. The required notice may be waived as to any meeting by the attendance at that meeting of all of the members of the committee, or by personal waiver.

RULE 34. **Membership of Committees; quorum.** — Membership on standing committees shall consist of not more than 22 or less than 8 Senators, including the Chairman and Vice-Chairman who shall be designated by the President; provided, the committee membership on the Appropriations Committee, Finance Committee, and Ways and Means Committee shall not be limited as to membership but shall be left to the discretion of the President. No Senator shall hold membership on more than 12 standing committees unless the Rules and Operation of the Senate Committee provides otherwise. A quorum of any committee shall consist of a majority of the committee.

RULE 35. **Roll call vote in Committee.** — A roll call vote may be taken in any committee upon a call for the ayes and noes sustained by one-third of the members present.

RULE 36. **Committee Meetings** — No committee or subcommittee shall hold a secret meeting, and all meetings of committees and subcommittees shall be open to the public: Provided, that any committee or subcommittee has the inherent right to hold an executive session when it determines that it is absolutely necessary to have such a session in order to prevent personal embarrassment, or when it is in the best interest of the State; and in no event shall final action be taken by any committee or subcommittee except in open session.

RULE 37. (Reserved for interim operations rule)

VI. HANDLING BILLS

RULE 38. **Construction of rules.** — All provisions of these rules applying to bills apply also to resolutions, memorials and petitions.

RULE 39. **Form and copies of bills.** — (a) Unless variation is authorized by the Committee on Rules and Operation of the Senate, bills submitted for introduction shall be in a computer-typed form prepared by the Legislative Services Office. When a bill which is introduced is not in the prescribed form, the Principal Clerk shall cause the bill to be retyped in the prescribed form, and the retyped copy shall become the official copy of the bill for all purposes. The original bill shall then be returned to the introducer of the bill and shall not become a part of the records or documents of the Senate.

(b) Whenever a bill is introduced, 20 copies shall be submitted to the Principal Clerk. Any bill submitted without the required number of copies shall be immediately returned to the introducer.

RULE 40. **Introduction of bills.** — (a) Every bill filed for introduction shall contain on the outside cover the title of the document and the name of the Senator or Senators presenting it. Bills shall be delivered by the primary sponsor of the document or with the prescribed authorization form signed by the primary sponsor to the Office of the Senate Principal Clerk who shall receive them during regular session according to the following schedule:

Monday until 8:30 o'clock P.M.;
Tuesday, Wednesday, and Thursday until 4:00 o'clock P.M.;
Friday until 3:00 o'clock P.M.

All bills shall be numbered by the Office of the Principal Clerk when filed and shall be considered introduced when presented to the Senate on the next following legislative day for the first reading and reference to committee.

(b) Filing of bills during the interim shall be under the direction of the Rules and Operation of the Senate Committee as approved by the Senate.

RULE 41. **Deadline on introduction of certain bills.** — All bills prepared to be introduced by departments, agencies or institutions of the State must be introduced in the Senate not later than April 1 of the session. All local bills must be introduced not later than April 1 of the session. All resolutions, except those honoring the memory of deceased persons, must be introduced not later than April 1 of the session.

RULE 41.1. **Relationship between Ways and Means Committee and other committees dealing with money matters; relationship between these other committees dealing with money matters.** — The Committee on Ways and Means shall have responsibility for final consideration of bills dealing with money matters before the bills are considered on the floor of the Senate. All bills referred by the President to the Committee on Appropriations, the Committee on Finance, and the Committe on Economy shall be referred by the chairman of the respective committee to the Committee on Ways and Means for consideration before the bills go to the floor of the Senate, except that bills referred to the Appropriations or Finance Committees may be reported directly back to the floor with the agreement of the Chairmen of the Ways and Means, Appropriations, and Finance Committees. Bills referred to the Committee on Appropriations by the President may be referred by the Chairman of the Committee on Appropriations to the Appropriations Committee on Human Resources and Corrections, the Appropriations Committee on Education, the Appropriations Committee on General Government and Transportation, or the Committee on Base Budget for a report back to the Committee on Appropriations.

RULE 42. **References of appropriations and finance bills.** — All bills introduced in the Senate providing for applications from the State, or any subdivision thereof, shall, before being considered by the Senate, be referred to the Committee on Appropriations, and bills referred to other

committees carrying any such provisions shall be reported to the Senate as being bills to be referred to the Appropriations Committee before proper action may be taken by the Senate. All bills introduced in the Senate providing for bond issues, levying taxes, or in any manner affecting the taxing power of the State or any subdivision thereof, shall, before being considered by the Senate, be referred to the Committee on Finance, and bills referred to other committees carrying any such provisions shall be reported to the Senate as being bills to be referred to the Finance Committee before proper action may be taken by the Senate.

RULE 43. **First reading; reference to Committee.** — All bills filed, upon presentation to the Senate, shall be read in regular order of business by their number and title which shall constitute the first reading of the bill and unless otherwise disposed of, the President or presiding officer shall announce the referral of the document. The title and referral shall be entered on the Journal.

RULE 44. **Bills to receive three readings.** — Every bill shall receive three readings previous to being passed, and the President shall give notice at each whether it be the first, second, or third. After the first reading, unless a motion is made by some Senator, the President shall refer the bill to an appropriate committee. No bill shall be amended upon the floor of the Senate until it has been twice read. Senate simple resolutions shall not require three readings.

RULE 45. **Reports of Committees.** — Every Senator presenting a report of a committee shall endorse the report with the name of the committee and, in case of a minority report, with the names of the members making the report. The report of the committee shall show that a majority of the committee were present and voted. Every report of the committee upon a bill or resolution shall stand upon the general orders with the bill or resolution.

RULE 46. **Unfavorable report by Committee.** — (a) All bills reported unfavorably by the committee to which they were referred, and having no minority report, shall lie upon the table, but may be taken from the table, and placed upon the calendar by a two-thirds vote of those present and voting.

(b) When a bill is reported by a committee with an unfavorable report, but accompanied by a minority report, signed by at least three members of the committee who were present and who voted on the bill when the bill was considered in committee, then the minority report shall be placed on the calendar and considered the following day, and the question before the Senate shall be "The adoption of the Minority Report." If the minority report is adopted by a majority vote, the bill shall be placed upon the calendar; if the minority report is not adopted, the bill shall lie upon the table.

RULE 47. **Recall of bill from Committee.** — When a bill has been introduced and referred to a committee, if after 10 days the committee has failed to report thereon, then the author of the bill may, after three days'

public notice given in the Senate, on motion supported by a vote of two-thirds of the Senators present and voting, recall the bill from the committee to the floor of the Senate for consideration and such action thereon as a majority of the Senators present may direct.

RULE 48. **Calendar; order to be followed.** — The President and the Principal Clerk of the Senate shall see that all bills are acted upon by the Senate in the order in which they stand upon the calendar, unless otherwise ordered as hereinafter provided. The published calendar shall include all bills reported favorably from committees, or reported with a minority report attached, or placed on the calendar on motion: *Provided*, that the published local calendar may carry the number of each bill, the county or counties referred to, and an abbreviated statement of the title of the bill.

RULE 49. **Considering bills out of regular order** — Except as provided in Rule 50, any bill or other matter may be taken up out of order upon order of the President or upon motion sustained by a majority of the membership present and voting.

RULE 50. **Third reading requirements.** — No bill on its third reading shall be acted upon out of the regular order in which it stands on the calendar, and no bill shall be acted upon on its third reading the same day on which it passed its second reading, unless so ordered by two-thirds of the Senators present.

RULE 51. **Special orders.** — Any bill or other matter may be made a special order for a particular day or hour by a vote of the majority of the Senators voting, and if action on the bill is not completed on that day, it shall be returned to its place on the calendar, unless it is made a special order for another day; and when a special order is under consideration it shall take precedence over any special order or subsequent order for the day, but such subsequent order may be taken up immediately after the previous special order has been disposed of.

RULE 52. **Procedure when necessary number of Senators not present.** — If, on taking the question on a bill, it appears that a constitutional quorum is not present, or if the bill requires a vote of a certain proportion of all the Senators to pass it, and it appears that such number is not present, the bill shall be again read and the question taken thereon; if the bill fails a second time for the want of the necessary number being present and voting, the bill shall not be finally lost, but shall be returned to the calendar in its proper order.

RULE 53. **Effect of defeated bill.** — (a) After a bill has been tabled or has failed to pass on any of its readings, the contents of such bill or the principal provisions of its subject matter shall not be embodied in any other measure. Upon the point of order being raised and sustained by the Chair, such measure shall be laid upon the table, and shall not be taken therefrom except by a vote of two-thirds of the qualified membership of the Senate: *Provided*, no local bill shall be held by the Chair as embodying

the provisions, or being identical with any statewide measure which has been laid upon the table or failed to pass any of its readings.

(b) When a bill has been postponed indefinitely by the Senate, the bill shall lie upon the table, and shall not be taken therefrom except by a vote of two-thirds of the Senators present.

RULE 54. **Taking bill from table.** — No bill which has been laid upon the table shall be taken therefrom except by a vote of two-thirds of the Senators present.

RULE 55. **Amending titles of bills.** — When a bill is materially modified or the scope of its application extended or decreased, or if the county, or counties, to which it applies is changed, the title of the bill shall be changed by the Senator introducing the bill or by the committee having it in charge, or by the Principal Clerk, so as to indicate the full purport of the bill as amended and the county or counties to which it applies.

RULE 56. **Corrections of typographical errors in bills.** — The Enrolling Clerk is authorized to make corrections of typographical errors in the text of bills at any time prior to ratification. Before the correction is made, the Enrolling Clerk shall have the approval of the Chairman of the Committee on Rules and Operation of the Senate.

RULE 57. **Conference Committees.** — Whenever the Senate declines or refuses to concur in amendments put by the House to a bill originating in the Senate, or refuses to adopt a substitute adopted by the House for a bill originating in the Senate, a conference committee shall be appointed upon motion and the bill under consideration shall thereupon go to and be considered by the joint conferees on the part of the Senate and House. In considering matters in difference between the Senate and House committed to the conferees, only such matters as are in difference between the two houses shall be considered by the conferees, and the conference report shall deal only with such matters. The conference report shall not be amended. Except as herein set out, the rules of the United States House of Representatives shall govern the appointment, conduct, and reports of the conferees.

RULE 57.1. **Senate concurrence in House amendments to Senate Bills or Senate adoption of House Committee Substitutes for Senate Bills.** — The Senate shall not concur in a House amendment to a bill originating in the Senate, and the Senate shall not adopt a House committee substitute for a bill originating in the Senate, until the next legislative day following the day on which the Senate receives the House amendment or House committee substitute.

RULE 58. **Certification of passage of bills.** — The Principal Clerk shall certify the passage of bills by the Senate, with the date thereof, together with the fact whether passed by vote of three-fifths or two-thirds of the Senate, whenever such vote may be required by the Constitution or laws of the State.

RULE 59. **Transmittal of bills to House.** — No bill shall be sent from the Senate on the day of its passage except on the last day of the session, unless otherwise ordered by a vote of two-thirds of the Senators present.

VII. LEGISLATIVE OFFICERS AND EMPLOYEES

RULE 60. **Pages.** — The President of the Senate shall appoint pages. The President, or such person as he may designate, shall supervise the pages and assign to them their duties. Each page shall be at least 14 years of age.

RULE 61. **Sergeant-at-Arms.** — (a) There shall be 14 positions of Assistant Sergeants-at-Arms to be appointed by the Sergeant-at-Arms who are to work under his supervision and to be assigned such duties and powers as he shall direct.

(b) The Sergeant-at-Arms shall be responsible for the safety of the members and employees of the Senate while in the Senate Chamber, or any place, in which the Senate or its committees are in session.

(c) The Sergeant-at-Arms shall serve all warrants and subpoenas issued by orders of the Senate and signed by the President of the Senate, and said warrants and subpoenas shall be returnable to the Principal Clerk of the Senate.

RULE 62. **Principal Clerk's staff.** — The Principal Clerk of the Senate shall employ all necessary employees and clerks required to carry out the duties of his office. The Principal Clerk shall have supervision and control, and shall assgin duties and powers as he shall direct to his employees and clerks.

RULE 63. **Committee Clerks.** — (a) The President of the Senate shall appoint clerks to such committees as he may deem necessary and appropriate.

(b) All Committee Clerks, when not in attendance upon the direct duties connected with their committee shall report to the Supervisor of Committee Clerks for such duties as may be assigned to them upon approval by Committee Chairmen.

RULE 64. **Senate Journal.** — The Principal Clerk shall prepare and be responsible for the Journal. The Committee on Rules and Operation of the Senate shall examine the Journal to determine if the proceedings of the previous day have been correctly recorded.

RULE 65. (Reserved for future addition to rules)

VIII. GENERAL RULES

RULE 66. **President to sign papers.** — All acts, addresses and resolutions, and all warrants and subpoenas issued by order of the Senate shall be signed by the President.

RULE 67. **Admission to the floor of the Senate.** — No person except members of the Senate, members of the House of Representatives, staff of the General Assembly; Judges of the Supreme Court, Court of Appeals, and

Superior Courts; the Governor and members of the Council of State; former members of the General Assembly; and persons particularly invited and extended the privileges of the floor by the President shall be admitted to the floor of the Senate during its session. No registered lobbyist shall be admitted to the floor of the Senate or Senate Chamber while the Senate is in session.

RULE 68. **Privileges of the floor.** — Any group or individual other than members of the Senate who desires to make remarks upon the floor of the Senate will first obtain approval of the Committee on Rules and Operation of the Senate.

RULE 69. **News media.** — The President is authorized to assign area and equipment on the floor of the Senate for the use of the representatives of news media; and the President shall provide regulations for the operation of the representatives of the news media on the floor of the Senate.

RULE 70. **Absence without leave.** — No Senator or officer of the Senate shall depart the service of the Senate without leave, or receive pay as a Senator or officer for the time he is absent without leave.

RULE 71. **Placing material on Senators' desks.** — Any person other than a member of the Senate desiring to place articles of any kind on or about desks in the Senate Chamber or in the offices of the members of the Senate shall make written application to, and obtain written approval from, the Principal Clerk of the Senate.

RULE 72. **Assignment of offices.** — The Chairman of the Committee on Rules and Operation of the Senate, subject to the approval of the Committee, is authorized to make assignments of committee rooms and offices to designated committees, chairmen, and members of the Senate. The office adjacent to any committee room assigned to a principal committee by the Chairman of the Committee on Rules and Operation of the Senate, subject to the approval of the Committee on Rules and Operation of the Senate, shall be automatically assigned to the chairman of the principal committee. In making such assignments of individual offices, the said Rules Committee Chairman shall give preferential consideration to the respective members according to the length of service which each member has rendered in the General Assembly.

RULE 73. **Administrative rules and regulations involving Senate employees.** — All administrative rules, regulations and orders involving all individuals employed to perform duties for the Senate, other than those appointed by the Principal Clerk and the Sergeant-at-Arms, shall be first approved by the Committee on Rules and Operation of the Senate.

RULE 74. **Notice of public hearings.** — Notice shall be given not less than five calendar days prior to public hearings. Such notices shall be issued as information for the press and the information shall be posted in the places designated by the Principal Clerk.

RULE 75. **Public hearings, filing of written statements.** — Persons desiring to appear and be heard at a public hearing are encouraged to file a brief or a written statement of the remarks to be made at least 24 hours before the time of the hearing.

RULE 76. **Voting in joint sessions.** — When any Senate Committee sits jointly with the House Committee, the Senate Committee reserves the right to vote separately from the House Committee.

RULE 77. **Alterations, suspension or rescission of rules.** — No rule of the Senate shall be altered, suspended, or rescinded except on a two-thirds vote of the Senators present.

S. B. 170, a bill to amend G. S. 18A-52 by adding a new subsection defining "restaurant".

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 175, a bill to authorize the Coroner of Cleveland County to order autopsies to be performed and to complete the medical certification of death with respect to deaths within his jurisdiction.

On motion of Senator Marvin, the Committee amendment is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 177, a bill to incorporate the Town of Brinson Beach in Pamlico County, upon second reading.

On motion of Senator Stallings, the bill is recommitted to the **Local Government and Regional Affairs Committee.**

S. J. R. 180, a joint resolution honoring the life and memory of Judge W. H. S. Burgwyn.

The joint resolution passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 186, a bill to allow civic and charitable organizations to sponsor or operate the game of bingo in Pamlico County.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 10, Committee Substitute for **H. B. 10,** a bill to incorporate the Town of Navassa in Brunswick County, upon second readnig.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Barnes, Britt, Childers, Combs, Crawford, Daniels, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Swain, Totherow, Webster, Whichard, White, Winters, and Wynne — 44.

March 10, 1977

The Committee Substitute bill remains on the Calendar upon third reading.

H. B. 46, a bill to revise, consolidate and restate the Charter of the City of Conover and to repeal all prior charter acts, upon second reading.

The bill passes its second reading by roll-call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Barnes, Britt, Childers, Combs, Crawford, Daniels, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 45.

The bill remains on the Calendar upon third reading.

H. B. 70, Committee Substitute for **H. B. 70,** a bill authorizing appointment of a Board of Equalization and Review for Stanly County.

On motion of Senator Soles. the Committee amendment is adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Repre- currence in the Senate amendment.

H. B. 81, Senate Committee Substitute for **H. B. 81,** a bill to amend G. S. 20-179 to expand the category of judges who may receive limited driving privilege applications.

On motion of Senator Britt, the Senate Committee Substitute bill is adopted and is placed on the Calendar for Tuesday, March 15.

H. B. 119, Committee Substitute for **H. B. 119,** a bill to restructure and rename the Department of Military and Veterans Affairs as the Department of Crime Control and Public Safety.

Senator Royall offers Amendment No. 1 which is adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for con- sentatives by special messenger for concurrence in the Senate amendment.

H. B. 152, Committee Substitute for **H. B. 152,** a bill to permit the County Commissioners of Currituck County to appoint the Currituck County Board of Alcoholic Control.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 281, a bill to incorporate the Town of Belville in Brunswick County, upon second reading.

The bill passes its second reading by roll-call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Barnes, Britt, Childers, Combs, Crawford, Daniels, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings,

Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 46.

The bill remains on the Calendar upon third reading.

H. B. 283, a bill to amend Chapter 1073 of the 1959 Session Laws to have Davie County Sheriff issue pistol permits.

The bill passes its second and third readings and is ordered enrolled.

H. B. 295, a bill authorizing the City of Greensboro to convey a fee simple determinable estate in approximately ten acres of land to the Greensboro Fireman's Club, a nonprofit corporation.

The bill passes its second and third readings and is ordered enrolled.

H. B. 296, a bill to amend the Charter of the City of Greensboro, as revised and reorganized by Chapter 1137 of the Session Laws of 1959, As Amended, upon second reading.

The bill passes its second reading by roll-call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Barnes, Britt, Childers, Combs, Crawford, Daniels, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guiford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 47.

The bill remains on the Calendar upon third reading.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 137, an act to amend Chapter 101 of the 1973 Session Laws relating to Columbus County sheriffs and police.

H. B. 69, an act to prevent facilitation of the unlawful taking of deer with the aid of boats by means of placing a restriction upon the possession of firearms aboard motor-propelled vessels in the Meherrin River in a certain designated location.

H. B. 103, an act to regulate hunting of European wild boar in Avery, Burke, Caldwell and Watauga Counties.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 10:00 A.M.

FORTY-THIRD DAY

SENATE CHAMBER,
Friday, March 11, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, in a time of confusion about many things, help us be confident of *one* thing, namely that Thou art still sitting upon the throne of this universe, the source of all authority, wisdom and truth. In spite of all the disturbing realities of our time, help us to remember that the last pages of history will not be written by evil men but by the God and Father of our Lord Jesus Christ. In the light of this confidence, may we live and labor. For Thy name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Marion, Lawing, and Webster for today and to Senator Scott for Monday and Tuesday, March 14 and 15. Leaves of absence granted previously to Senators Harris, Daniels, and Davis are noted.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are read the first time and disposed of as follows:

By Senator Mathis (by request):

S. B. 211, a bill to provide to individuals and certain corporations tax credits in respect to purchases of certain energy conservation items.
Referred to **Finance Committee.**

By Senators Rauch and Marvin:

S. B. 212, a bill to amend the Uniform Anatomical Gift Act to provide for the donation of all or any part of the ward's body by the guardian before the time of the ward's death.
Referred to **Judiciary II Committee.**

By Senators Harrington and Garrison:

S. B. 213, a bill to change the members of the Board of Transportation, to abolish the Secondary Roads Council and to make changes in the laws relating to the Department of Transportation.
Referred to **Transportation Committee.**

By Senators Lawing, Alexander, Mathis, and McDuffie:

S. B. 214, a bill to amend G. S. 1-597 to permit publication of legal notices and advertisements in newspapers of which do not have actual paid subscribers, but which meet certain requirements of general circulation and regularity and continuity of publication.

Referred to **Judiciary I Committee.**

By Senators Palmer, Hill, and Whichard:

S. J. R. 215, a joint resolution honoring the life and memory of Dr. Carl Dan Killian, Sr., retired Dean of the Western Carolina University School of Education and Psychology and former member of the General Assembly.

Referred to **Rules and Operation of the Senate Committee.**

By Senator Crawford:

S. B. 216, a bill to authorize the Joint Legislative Commission on Governmental Operations to issue subpoenas and administer oaths to individuals other than state officials, and to amend the procedures for punishment for contempt before a legislative committee.

Referred to **Judiciary II Committee.**

By Senators Henley and Raynor:

S. J. R. 217, a joint resolution honoring the 1976 Masters Golf Tournament Champion, North Carolinian Raymond Floyd.

Referred to **Rules and Operation of the Senate Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 248, a bill to prohibit driver training instructions by person under the influence.

Referred to **Judiciary II Committee.**

H. B. 313, a bill to amend G. S. 14-111.3, which makes false ambulance requests unlawful in certain named counties, to include Ashe County.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 314, a bill to amend G. S. 14-111.2 to include Ashe County among those named counties in which it shall be a misdemeanor to obtain ambulance services without intending to pay therefor.

Referred to **Judiciary I Committee.**

H. B. 324, a bill permitting municipal or county regulation of the solicitation of charitable funds in Forsyth County.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 351, a bill to amend G. S. 160A-274 to authorize New Hanover County to deed real property to the United States.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 360, a bill to amend G. S. 153A-335 to modify authority of Pamlico County to regulate the subdivision of land.

Referred to **Local Government and Regional Affairs Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 78, a bill to make public school teachers and employees eligible to serve as members of county and city boards of education other than those boards which are their employers.

The bill passes its second reading.

On objection of Senator Alford to its third reading the bill remains on the Calendar.

H. B. 10, Committee Substitute for **H. B. 10**, a bill to incorporate the Town of Navassa in Brunswick County, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 34, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Barnes, Britt, Childers, Combs, Crawford, Garrison, Gray, Hardison, Henley, Hill, Jordan, Marvin, Mathis, McDuffie, Palmer, Popkin, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Walker, Whichard, White, Winters, and Wynne — 34.

The Committee Substitute bill is ordered enrolled.

H. B. 46, a bill to revise, consolidate and restate the Charter of the City of Conover and to repeal all prior charter acts, upon third reading.

The bill passes its third reading by roll-call vote, ayes 33, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Barnes, Britt, Childers, Combs, Crawford, Garrison, Gray, Hardison, Henley, Hill, Jordan, Marvin, Mathis, McDuffie, Palmer, Popkin, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of New Hanover, Speed, Swain, Totherow, Walker, Whichard, White, Winters, and Wynne — 33.

The bill is ordered enrolled.

H. B. 90, a bill to amend the Constitution of North Carolina to permit a surviving spouse of either sex to receive the benefit of the Homestead Exemption, upon second and third reading.

The bill passes its second reading by roll-call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Barnes, Britt, Childers, Combs, Crawford, Garrison, Gray, Hardison, Henley,

Hill, Jordan, Lake, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Totherow, Vickery, Walker, Whichard, White, Winters, and Wynne — 38.

Without objection the bill passes its third reading by roll-call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Barnes, Britt, Childers, Combs, Crawford, Garrison, Gray, Hardison, Henley, Hill, Jordan, Lake, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Stallings, Swain, Totherow, Vickery, Walker, Whichard, White, Winters, and Wynne — 38.

Having received a favorable vote of three-fifths of the members of the Senate, the bill is ordered enrolled.

H. B. 91, Committee Substitute for **H. B. 91**, a bill to permit a surviving spouse of either sex to receive the benefit of the Homestead Exemption.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 207, a bill relating to the games of "bingo" and "skilo" in Chowan, Jones, Pamlico, Union and Cabarrus Counties.

On motion of Senator Allsbrook, the Committee amendment is adopted.

Senator Hardison offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendments.

H. B. 215, a bill to provide that a minor may use a driver's license as verification of age for an employment certificate.

The bill passes its second and third readings and is ordered enrolled.

H. B. 225, a bill to require a certified copy of a certificate of birth be attached to the petition in a legitimation proceeding and be attached to the complaint in an action to establish paternity.

The bill passes its second and third readings and is ordered enrolled.

H. B. 281, a bill to incorporate the Town of Belville in Brunswick County, upon third reading.

The bill passes its third reading by roll-call vote, ayes 34, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Barnes, Britt, Childers, Combs, Crawford, Garrison, Gray, Hardison, Henley, Hill, Jordan, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Renfrow, Royall, Sebo, Sharpe, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Walker, Whichard, White, Winters, and Wynne — 34.

The bill is ordered enrolled.

H. B. 296, a bill to amend the Charter of the City of Greensboro, as revised and reorganized by Chapter 1137 of the Session Laws of 1959, As Amended, upon third reading.

The bill passes its third reading by roll-call vote, ayes 37, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Barnes, Britt, Childers, Combs, Crawford, Garrison, Gray, Hardison, Henley, Hill, Jordan, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Vickery, Walker, Whichard, White, Winters, and Wynne — 37.

The bill is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 65, an act to make isolated amendments to the General Statutes.

S. B. 79, an act to empower the City of Mt. Airy to remove particular treats and parcels of land from established service districts.

S. B. 86, an act to amend Chapter 346, Session Laws of 1973 to authorize the Raleigh Redevelopment Commission to permit disposition of land for a special purpose at fair market value without competitive bidding; to permit disposition of land on the basis other than the highest monetary bid where such disposition is found to serve the best interest of the municipality and to dispose of property at private sale.

H. B. 152, Committee Substitute for **H. B. 152**, an act to permit the County Commissioners of Currituck County to appoint the Currituck County Board of Alcoholic Control.

H. B. 283, an act to amend Chapter 1073 of the 1959 Session Laws to have Davie County Sheriff issue pistol permits.

H. B. 295, an act authorizing the City of Greensboro to convey a fee simple determinable estate in approximately ten acres of land to the Greensboro Fireman's Club, a nonprofit corporation.

On motion of Senator Henley, the Senate adjourns in honor of Mrs. Mozelle Stringfield Swain, mother of Senator Swain, celebrating her ninety-third birthday today, to meet Monday at 8:00 P.M.

FORTY-FOURTH DAY

SENATE CHAMBER,
Monday, March 14, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Almighty God, we invoke Thy blessing upon us as we assemble here tonight. As we face the problems of our time, we are grateful that the solution to the problems does not rest upon us alone, for we are workers together with Thee. In the words of the Psalmist we would say: 'Why art thou cast down, O my soul; and why art thou disquieted within me? Hope thou in God, who is the hope of my countenance and my God.' Give us this faith as we address ourselves to the difficulties of our day. For Thy name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of Friday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Stallings for tonight. A leave of absence granted previously to Senator Scott is noted.

The President recognizes the following pages serving in the Senate this week: Frank Bailey, Plymouth; Ginny Chase, Eureka; Lisa Cobb, Faith; Bill Culbreath, Hillsborough; Debbie Dyer, Black Mountain; Cindy Farris, Charlotte; Mike Ford, Kinston; Howard Ford, Kinston; Lucas Graves, Asheboro; Curtis Harper, Pink Hill; Sarah Herring, La Grange; Mary Hicks, High Point; Claud Hodges, Washington; Debbie Johnson, Raleigh; Keith Johnson, Raleigh; Jann Joyce, Mayodan; Roy Lamb, Washington; Dannette McLaurin, Charlotte; Lynn Miller, Fayetteville; Billy Moore, Albemarle; Anne Oliver, Mt. Gilead; Ellen Pollock, Greenville; Susan Potter, Riegelwood; Lorie Robinson, Fayetteville; Kenneth Roebuck, Washington; Linda Sasser, Hallsboro; Jennifer Twiggs, Raleigh; and Joi Ward, Asheboro.

H. B. 288, a bill to amend G. S. 131-3 to allow the North Carolina Orthopedic Hospital at Gastonia to operate a school.

On motion of Senator Hardison the rules are suspended and the bill is taken from the **Appropriations Committee** and is re-referred to the **Human Resources Committee.**

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senators Gray and Garrison:

S. B. 218, a bill to appropriate general funds to the Department of Human Resources for the purposes of providing support to Youth Unlimited, Inc.
Referred to **Human Resources Committee.**

By Senators Wynne, Winters, and Lake:

S. B. 219, a bill to abolish the Office of Coroner in Wake County.
Referred to **Local Government and Regional Affairs Committee.**

By Senator Smith of New Hanover:

S. B. 220, a bill to clarify the North Carolina Foreign Trade Zone Act.
Referred to **Finance Committee.**

By Senator Vickery:

S. B. 221, a bill to correct a spelling error in 1977 Sessions Laws Chapter 18 which repeals misdemeanor treatment of violation of ABC Board rules.
Referred to **Judiciary I Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. J. R. 65, a joint resolution excluding resolutions honoring birthdays, days, weeks, events and living members of the House and Senate.
Referred to **Rules and Operation of the Senate Committee.**

H. B. 77, a bill to prohibit obstructing the administration of justice by picketing or parading.
Referred to **Judiciary I Committee.**

H. B. 234, a bill to abolish the Office of Coroner in Warren, Camden, and Perquimans Counties.
Referred to **Local Government and Regional Affairs Committee.**

H. B. 279, a bill to amend Chapter 269 of the 1975 Session Laws to prevent the use of artificial lights in areas inhabited by game in Surry County.
Referred to **Wildlife Committee.**

H. B. 300, a bill to repeal G. S. 130-58.1 concerning neglected illegitimate children.
Referred to **Judiciary II Committee.**

H. B. 327, a bill to amend the Public Utilities Law to provide an exemption for transportation of any bona fide employees.
Referred to **Public Utilities Committee.**

H. B. 333, a bill to revise and consolidate the Charter of the City of Marion and to repeal prior local acts.
Referred to **Local Government and Regional Affairs Committee.**

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H. B. 355, a bill to amend Chapter 160A of the General Statutes to authorize municipalities owning or operating electric distribution systems, municipalities engaging in joint project and joint agencies created pursuant to Chapter 159B to engage in load management practices and to adopt peak load pricing.

Referred to **Public Utilities Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 78, a bill to make public school teachers and employees eligible to serve as members of county and city boards of education other than those boards which are their employers.

Senator White moves that consideration of the bill be postponed until Wednesday, March 16.

Senator Lake offers a substitute motion that the bill be placed on the Calendar for tomorrow, Tuesday, March 15, for consideration, which motion fails to prevail.

The motion offered by Senator White prevails and the bill is placed on the Calendar for Wednesday, March 16.

S. R. 181, a Senate resolution directing the Senate Committee on Human Resources to study the problems and needs of the aging population and to make recommendations to the General Assembly. In addition to such legislative proposals that may be referred to it by the President of the Senate, and President Pro Tem, the Committee shall scrutinize all legislative proposals which may affect the elderly, and shall on its own initiative make appropriate appearances and representation to other committees.

On motion of Senator Harris, the Senate resolution is adopted. (The text of this resolution appears in the Appendix.)

S. B. 185, a bill to include five years' experience as an accountant in G. S. 93-12(5).

The bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 223, a bill to provide for assignments of claims against the State for legal services.

The bill passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 64, an act to provide for small claims court hearings for the enforcement of certain mechanic and storage liens on motor vehicles.

S. B. 74, an act extending the corporate limits of the Town of Holly Ridge.

S. J. R. 180, a joint resolution honoring the life and memory of Judge W. H. S. Burgwyn.

H. B. 10, Committee Substitute for H. B. 10, an act to incorporate the Town of Navassa in Brunswick County.

H. B. 46, an act to revise, consolidate and restate the Charter of the City of Conover and to repeal all prior charter acts.

H. B. 70, Committee Substitute for H. B. 70, an act authorizing appointment of a Board of Equalization and Review for Stanly County.

H. B. 90, an act to amend the Constitution of North Carolina to permit a surviving spouse of either sex to receive the benefit of the Homestead Exemption.

H. B. 91, an act to permit a surviving spouse of either sex to receive the benefit of the Homestead Exemption.

H. B. 119, Committee Substitute for H. B. 119, an act to restructure and rename the Department of Military and Veterans Affairs as the Department of Crime Control and Public Safety.

H. B. 215, an act to provide that a minor may use a driver's license as verification of age for an employment certificate.

H. B. 225, an act to require a certified copy of a certificate of birth be attached to the petition in a legitimation proceeding and be attached to the complaint in an action to establish paternity.

H. B. 281, an act to incorporate the Town of Belville in Brunswick County.

H. B. 296, an act to amend the Charter of the City of Greensboro, as revised and reorganized by Chapter 1137 of the Session Laws of 1959, As Amended.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:00 P.M.

FORTY-FIFTH DAY

SENATE CHAMBER,
Tuesday, March 15, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable John T. Henley, President Pro Tempore of the Senate.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"O Lord, help us to be more aware of the blessings of each day — the joy provided by our loved ones; the sound of children at play; the beauty of the flowers; the smiles on people's faces; and the peace of quiet places. May we, in the words of the old hymn, count our many blessings, naming them one by one, and experiencing that surprise which is ours when we remember all that the Lord hath done. In the spirit of the Master, we pray. Amen."

Senator Royall for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President Pro Tempore grants leaves of absence to Senators Vickery and Winters for today. A leave of absence granted previously to Senator Scott is noted.

The President of the Senate, the Honorable James C. Green, assumes the chair.

ASSIGNMENT OF COMMITTEES

Changes in standing committee assignments are noted as follows:

ALCOHOLIC BEVERAGE CONTROL COMMITTEE: Senator Gray is designated Vice-Chairperson.

APPROPRIATIONS COMMITTEE ON HUMAN RESOURCES: Senator Alford is reinstated.

CRIMINAL JUSTICE AND CRIME CONTROL: Senator Marvin is designated Vice-Chairperson.

STATE GOVERNMENT COMMITTEE: Senator Hardison is added.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Marion for the **Courts and Judicial Districts Committee:**

S. B. 193, a bill to amend G. S. 7A-101 to provide salary raises for superior court clerks, with a favorable report, as amended.

On motion of Senator Marion, the rules are suspended and the bill is placed before the Senate for immediate consideration.

On motion of Senator Marion, Committee Amendment No. 1 is adopted, and on his further motion the bill, as amended is re-referred to the **Appropriations Committee.**

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By Senator Totherow for the **Insurance Committee:**

S. B. 191, a bill to amend G. S. 58-291 by increasing the maximum amount of death benefits payable by fraternal societies exempt from Article 28, Chapter 58, with a favorable report.

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 168, a bill to authorize hospital authorities to regulate parking on property owned or leased by them, with a favorable report, as amended.

S. B. 189, a bill to amend Article 31 of Chapter 143 of the General Statutes to provide for the defense of school bus maintenance mechanics in civil actions alleging negligence, with a favorable report, as amended.

By Senator Britt for the **Judiciary II Committee:**

H. B. 136, a bill to clarify the penalties for evasion of property taxes, with a favorable report.

By Senator Harrington for the **Transportation Committee:**

S. B. 213, a bill to change the members of the Board of Transporation, to abolish the Secondary Roads Council and to make other changes in the laws relating to the Department of Transportation, with a favorable report, as amended.

By Senator Combs for the **Wildlife Committee:**

S. B. 110, a bill to regulate the use of steeljaw or leghold traps for capturing animals or birds in North Carolina, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Combs, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

H. B. 220, a bill to prohibit the hunting of bear in Beaufort County, with a favorable report.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 97, a bill to require that a female applicant for a marriage license receive a rubella immunity test.

Referred to **Judiciary I Committee.**

H. J. R. 246, a joint resolution honoring the life, service and memory of Lindsay Carter Warren, former member of the North Carolina General Assembly.

Referred to **Rules and Operation of the Senate Committee.**

H. B. 275, a bill to revise and consolidate the Charter of the Town of Lucama, North Carolina, and to repeal prior charter acts.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 280, a bill to prohibit hunting with firearms from the right-of-way of highways in Surry County.

Referred to **Wildlife Committee.**

H. B. 326, a bill to give priority treatment to the physically handicapped and to carpoolers and vanpoolers in assigning parking spaces in State-owned lots.

Referred to **State Government Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 110, Committee Substitute for **S. B. 110**, a bill to regulate the use of steeljaw or leghold traps for capturing animals or birds in North Carolina.

On motion of Senator Combs, the Committee Substitute bill is adopted and remains on the Calendar.

S. B. 146, a bill to incorporate the Town of Belville in Brunswick County.

On motion of Senator Soles, the bill is postponed indefinitely.

H. B. 81, Senate Committee Substitute for **H. B. 81**, a bill to amend G. S. 20-179 to expand the category of judges who may receive limited driving privilege applications.

The Senate Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 223, an act to provide for assignments of claims against the State for legal services.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:00 P.M.

FORTY-SIXTH DAY

SENATE CHAMBER,
Wednesday, March 16, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Charles W. Ward, Paster of First Baptist Church, Wilmington Street, Raleigh, as follows:

"Father, as these Thy servants of Thy people approach another day's work, we pause to ask for Thy presence and Thy wisdom to guide and lead them in their endeavors.

"Give unto them, I pray, peace of spirit, stillness of thought, evenness of recollection as they approach the arduous task of enacting laws that shall govern the lives of Thy people. May they strive to use the measuring rod of one of Thy servants of old; enact only those laws that they could wish to become universal laws, laws so pure and so just, laws so evenly measured — applying to all people the same, so exacting that mankind everywhere could live under those laws.

"Give unto these Thy people a bit of keen wisdom to discern a strength of character to act, so that our State will be an example of good men and just men who sought office because they desire to serve mankind.

"Bless, I pray Thee, the Governor, Lieutenant Governor, the two branches of our government assembled in this building. These are the prayers and petitions we lift to Thee. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President appoints the following members of the Senate to serve on a special committee to coordinate the introduction of local legislation relative to taking of game from streams, shooting from the highways, and the abolition of the office of coroner: Senators Harrington, Chairman; Hardison, Soles, Henley, Lake, Swain, and Rauch.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator McDuffie for the **Election Laws Committee:**

H. B. 82, a bill to authorize absentee ballots in the election for members

of the County Board of Education in the Counties of Jackson, Madison and Swain, with a favorable report.

H. B. 153, Committee Substitute for **H. B. 153,** a bill to provide procedures for persons entitled to vote absentee ballots pursuant to G. S. 163-245 to vote in person under certain conditions, with a favorable report.

H. B. 272, a bill to provide for precinct assistants at the option of boards of elections, with a favorable report.

By Senator Soles for the **Local Government and Regional Affairs Committee:**

S. B. 171, a bill to amend G. S. 160A-274 to authorize New Hanover County to deed real property to the United States, with a favorable report.

S. B. 188, a bill to rewrite G. S. 153A-233 concerning county fire protection, with a favorable report, as amended.

S. B. 206, a bill relating to the meetings of and the Clerk to the Gaston County Board of Commissioners, with a favorable report.

S. B. 210, a bill to amend Chapter 16, Session Laws of 1957 relating to the Gaston County Rural Police Force, with a favorable report.

S. B. 219, a bill to abolish the Office of Coroner in Wake County, with a favorable report.

H. B. 234, Committee Substitute for **H. B. 234,** a bill to abolish the Office of Coroner in Warren, Camden, and Perquimans Counties, with a favorable report.

H. B. 313, a bill to amend G. S. 14-111.3, which makes false ambulance requests unlawful in certain named counties, to include Ashe County, with a favorable report.

H. B. 333, a bill to revise and consolidate the Charter of the City of Marion and to repeal prior local acts, with a favorable report.

H. B. 351, a bill to amend G. S. 160A-274 to authorize New Hanover County to deed real property to the United States, with a favorable report.

H. B. 360, a bill to amend G. S. 153A-335 to modify authority of Pamlico County to regulate the subdivision of land, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Smith of New Hanover:

S. B. 222, a bill to define and enlarge the corporate limits of the City of Wilmington.

Referred to **Local Government and Regional Affairs Committee.**

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By Senator Totherow:

S. B. 223, a bill to amend the General Statutes to provide that for purposes of assessment under Article 17B of Chapter 58 premiums otherwise reportable by servicing insurers under the Fair and Beach Plans shall be deemed to be the premiums of the insurers participating in those plans.

Referred to **Insurance Committee.**

By Senator Somers:

S. B. 224, a bill to divide the Nineteenth Prosecutorial District into two new districts.

Referred to **Courts and Judicial Districts Committee.**

By Senators White, Marvin, Renfrow, Sebo, Raynor, and Smith of Guilford:

S. B. 225, a bill to amend G. S. 115-59(e) (f) and (g) relating to school organization reports and allocation of instructional personnel.

Referred to **Education Committee.**

By Senator Renfrow:

S. B. 226, a bill to repeal Articles 27 and 29 of Chapter 115 of the General Statutes and to enact Articles 27A and 29A to provide an expanded legal basis for secondary school vocational education.

Referred to **Education Committee.**

By Senators Jordan, Royall, Wynne, Whichard, Rauch, and Winters:

S. B. 227, a bill to prohibit members of the General Assembly and officers and employees of the State from serving on Boards of Trustees of community colleges and technical institutes.

Referred to **State Government Committee.**

By Senators Webster, Childers, Harrington, Palmer, and Raynor:

S. B. 228, a bill to provide for the fixing of utility rates in North Carolina based upon the reasonable original cost of the property of the public utility used and useful in providing service to the public.

Referred to **Public Utilities and Energy Committee.**

By Senators Webster, Childers, Harrington, Palmer, and Raynor:

S. B. 229, a bill to amend General Statutes Chapter 62 to provide for a Public Staff in the Utilities Commission to represent the using and consuming public, and to prohibit gifts to members of the Commission, Commission Staff and Public Staff.

Referred to **Public Utilities and Energy Committee.**

By Senators Whichard, Royall, Harris, Scott, and Barnes:

S. B. 230, a bill to establish a Consumer and Advocacy Advisory Committee for the Blind.

Referred to **Human Resources Committee.**

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By Senators Hill and Palmer:

S. B. 231, a bill to repeal certain local acts relating to the Chairman of the Board of Commissioners of Transylvania County, and local acts setting the compensation of officials and employees of the County and to provide that the Board of Commissioners shall be subject to Chapter 153A of the General Statutes of North Carolina.

Referred to **Local Government and Regional Affairs Committee.**

By Senators Hill, Barnes, Smith of Guilford, Smith of New Hanover, Britt, and Davis:

S. B. 232, a bill to provide for the filing of a certificate of devise or descent.

Referred to **Judiciary II Committee.**

By Senators Hill, Garrison, Childers, Hardison, Lawing, Alexander, and Alford:

S. B. 233, a bill to amend G. S. 159-30(c)(5) to allow investment of idle funds of local governments in savings and loan associations as long as investments are fully secured.

Referred to **Banking Committee.**

By Senators Davis, Totherow, Whichard, Popkin, and Garrison:

S. B. 234, a bill to amend General Statutes Chapter 110, Article 9 (Child Support) to transfer from the Clerk of Superior Court to the county Department of Social Services responsibility for receiving certain payments for child support and to delete the requirement for confidentiality of support agreements.

Referred to **Judiciary I Committee.**

By Senators Davis, Totherow, and Garrison:

S. B. 235, a bill to amend G. S. 20-37.6 relative to handicapped drivers.

Referred to **Judiciary II Committee.**

By Senators Crawford, Palmer, and Raynor:

S. B. 236, a bill to provide two years' salary continuation for certain State law enforcement officers injured in line of duty.

Referred to **Law Enforcement and Crime Control Committee.**

By Senators Stallings, Wynne, Sebo, Mathis, Gray, and Britt:

S. B. 237, a bill to promote and provide for community involvement in and use of the public schools.

Referred to **Education Committee.**

By Senator Stallings:

S. B. 238, a bill to amend the Charter of the Town of Havelock, North Carolina.

Referred to **Local Government and Regional Affairs Committee.**

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MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 48, a bill to amend G. S. 163-74 relating to party affiliation and change of party affiliation.

Referred to **Election Laws Committee.**

H. B. 284, a bill to validate acts of assistant and deputy registers of deeds.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 340, a bill directing the Wildlife Commission to enforce all local laws respecting wildlife.

Referred to **Wildlife Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 78, a bill to make public school teachers and employees eligible to serve as members of county and city boards of education other than those boards which are their employers.

On motion of Senator Stallings, the bill is recommitted to the **Education Committee.**

S. B. 110, Committee Substitute for S. B. 110, a bill to regulate the use of steeljaw or leghold traps for capturing animals or birds in North Carolina.

Senator Stallings offers Amendment No. 1 which is adopted.

Senator Popkin offers Amendment No. 2 which is adopted.

The Committee Substitute bill, as amended, passes its second reading.

On objection of Senator Speed to its third reading and on his motion the Committee Substitute bill, as amended, is postponed until Monday, March 21.

S. B. 168, a bill to authorize hospital authorities to regulate parking on property owned or leased by them.

On motion of Senator Allsbrook, the Committee amendment is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 189, a bill to amend Article 31 of Chapter 143 of the General Statutes to provide for the defense of school bus maintenance mechanics in civil actions alleging negligence.

On motion of Senator Allsbrook, the Committee amendment is adopted.

On motion of Senator Hardison, the bill, as amended, is re-referred to the Appropriations Committee.

S. B. 191, a bill to amend G. S. 58-291 by increasing the maximum amount of death benefits payable by fraternal societies exempt from Article 28, Chapter 58.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 213, a bill to change the members of the Board of Transportation, to abolish the Secondary Roads Council and to make other changes in the laws relating to the Department of Transportation.

On motion of Senator Harrington, the Committee amendment is adopted.

Senator Henley offers Amendment No. 2 which is adopted.

Senator Whichard offers Amendment No. 3 which is adopted.

Senator Marion offers Amendment No. 4 which fails of adoption.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

H. B. 136, a bill to clarify the penalties for evasion of property taxes, upon second reading.

The bill passes its second reading by roll-call vote, ayes 47, noes 1, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 47.

Voting in the negative is: Senator Smith of New Hanover — 1.

The bill remains on the Calendar upon third reading.

H. B. 196, a bill to prohibit the taking of game from certain public highways in Martin County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 220, a bill to prohibit the hunting of bear in Beaufort County.

The bill passes its second and third readings and is ordered enrolled.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:00 P.M.

FORTY-SEVENTH DAY

SENATE CHAMBER,
Thursday, March 17, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, may we never be so obsessed with the things we can see and touch that we overlook the great invisible and intangible blessings of life, peace of mind, the courage to follow our convictions, the guidance which comes from Thee, the forgiveness of our sins, and most of all, the love we receive from our friends, or family and from Thee. Amen."

Sentaor Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senator Mathis to attend a meeting of the State Advisory Council on Educational Services for Exceptional Children in Wilmington tomorrow, March 18, and to Senator Wynne for tomorrow and Monday, March 18 and 21.

The President extends courtesies of the gallery to the Honorable Edward Sneed, former Representative from New Hanover County.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Harris for the **Human Resources Committee:**

H. B. 288, a bill to amend G. S. 131-3 to allow the North Carolina Orthopedic Hospital at Gastonia to operate a school, with a favorable report, as amended.

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 178, a bill to require prosecutors to furnish to the defense by way of discovery the statements known to the State made by the defendant or codefendant whether or not the prosecutor intends to introduce the statements into evidence at trial, with a favorable report, as amended.

S. B. 221, a bill to correct a spelling error in 1977 Session Laws Chapter 18 which repeals misdemeanor treatment of violation of ABC Board rules, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senators Whichard and Barnes:

S. B. 239, a bill to amend the laws relating to criminal procedure.
Referred to **Judiciary I Committee.**

By Senator Smith of New Hanover:

S. B. 240, a bill to allow New Hanover and Pender County to undertake navigation projects and to assess the benefitted property for the cost thereof.
Referred to **Local Government and Regional Affairs Committee.**

By Senator Smith of New Hanover:

S. B. 241, a bill to regulate the setting of steel traps in Pender County.
Referred to **Wildlife Committee.**

By Senator Renfrow:

S. B. 242, a bill to amend G. S. 7A-133, in the table, to increase the number of District Court Judges in the 4th District Court District from "4" to "5".
Referred to **Courts and Judicial Districts Committee.**

By Senators Alexander, Mathis, Lawing, and McDuffie:

S. B. 243, a bill to amend Chapter 713 of the Session Laws of 1965, as amended, being the Charter of the City of Charlotte in Mecklenburg County relating to the terms of office of the members of the Auditorium-Coliseum-Civic Center Authority.
Referred to **Local Government and Regional Affairs Committee.**

By Senators Alexander, Mathis, Lawing, and McDuffie:

S. B. 244, a bill to amend Chapter 713 of the 1965 Session Laws, as amended, being the Charter of the City of Charlotte, to change the terms of the members of the Charlotte Parks and Recreation Commission from five to three years.
Referred to **Local Government and Regional Affairs Committee.**

By Senator Henley:

S. J. R. 245, a joint resolution honoring and commending the North Carolina Student Legislature for its excellence as an educational opportunity for the future leaders of the State of North Carolina.
Referred to **Rules and Operation of the Senate Committee.**

By Senator Totherow:

S. B. 246, a bill to amend the General Statutes to permit the North Carolina Fire Insurance Rating Bureau to transact mail or telephone business.
Referred to **Insurance Committee.**

By Senator Totherow:

S. B. 247, a bill to amend the General Statutes to take jurisdiction over theft of and physical damage to motor vehicles insurance from the North Carolina Fire Insurance Rating Bureau and place it with the North Carolina Automobile Rate Administrative Office.
Referred to **Insurance Committee.**

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By Senators White, Stallings, Hardison, Crawford, Somers, Ballenger, Swain, Kincaid, Daniels, Barnes, Hill, Palmer, Lawing, Renfrow, McDuffie, Allsbrook, Lake, Wynne, Sharpe, Speed, Scott, Garrison, Marion, Harris, Alford, Webster, Popkin, Harrington, Jordan, and Raynor:

S. B. 248, a bill to appropriate funds for the construction of a School of Veterinary Medicine at North Carolina State University at Raleigh.
Referred to **Appropriations Committee.**

By Senators White and Allsbrook:

S. B. 249, a bill to grant the City of Greenville alternative condemnation procedures.
Referred to **Local Government and Regional Affairs Committee.**

By Senators White and Allsbrook:

S. B. 250, a bill to grant the the City of Greenville additional powers of assessments.
Referred to **Local Government and Regional Affairs Committee.**

By Senators McDuffie, Lawing, and Alexander:

S. B. 251, a bill to amend Chapter 416 of the 1973 Session Laws to eliminate the general term "capital projects", and to specify those projects which shall be subject to review by the Charlotte-Mecklenburg Planning Commission.
Referred to **Local Government and Regional Affairs Committee.**

By Senators Henley, Walker, and Smith of Guilford:

S. J. R. 252, a joint resolution honoring Louis Round Wilson.
Referred to **Rules and Operation of the Senate Committee.**

By Senator Britt:

S. B. 253, a bill to amend G. S. 7A-69 to provide an investigatorial assistant to the district attorney in the 16th Judicial District.
Referred to **Courts and Judicial Districts Committee.**

By Senator Whichard:

S. B. 254, a bill to rewrite the law regarding wrongful death.
Referred to **Judiciary I Committee.**

By Senators Whichard and Crawford:

S. B. 255, a bill to amend Article 9 of Chapter 44 relating to liens upon recoveries for personal injuries to secure sums due for medical attention.
Referred to **Judiciary I Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 42, a bill to amend G. S. Chapter 35 relating to mental diseases and incompetents to remove sex discrimination, for concurrence in the House amendments which is placed on the Calendar for tomorrow, March 18.

H. B. 331, a bill to amend the Uniform Boll Weevil Eradication Act, Article 4F of Chapter 106.

Referred to **Agriculture Committee.**

H. B. 403, a bill to amend G. S. 14-234 to permit certain public officials to transact business with public utilities in the regular course of business.

Referred to **Judiciary II Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 171, a bill to amend G. S. 160A-274 to authorize New Hanover County to deed real property to the United States.

On motion of Senator Smith of New Hanover the bill is postponed indefinitely.

S. B. 188, a bill to rewrite G. S. 153A-233 concerning county fire protection.

On motion of Senator Soles, the Committee amendment is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 206, a bill relating to the meetings of and the Clerk to the Gaston County Board of Commissioners.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 210, a bill to amend Chapter 16, Session Laws of 1957 relating to the Gaston County Rural Police Force.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 219, a bill to abolish the Office of Coroner in Wake County.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 82, a bill to authorize absentee ballots in the election for members of the County Board of Education in the Counties of Jackson, Madison and Swain.

The bill passes its second and third readings and is ordered enrolled.

March 17, 1977

H. B. 136, a bill to clarify the penalties for evasion of property taxes, upon third reading.

The bill passes its third reading by roll-call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Crawford, Daniels, Davis, Garrison, Hardison, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 45.

The bill is ordered enrolled.

H. B. 153, Committee Substitute for **H. B. 153**, a bill to provide procedures for persons entitled to vote absentee ballots pursuant to G. S. 163-245 to vote in person under certain conditions.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 234, Committee Substitute for **H. B. 234**, a bill to abolish the Office of Coroner in Warren, Camden, and Perquimans Counties.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 272, a bill to provide for precinct assistants at the option of boards of elections.

The bill passes its second and third readings and is ordered enrolled.

H. B. 313, a bill to amend G. S. 14-111.3, which makes false ambulance requests unlawful in certain named counties, to include Ashe County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 333, a bill to revise and consolidate the Charter of the City of Marion and to repeal prior local acts, upon second reading.

The bill passes its second reading by roll-call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 46.

The bill remains on the Calendar upon third reading.

H. B. 351, a bill to amend G. S. 160A-274 to authorize New Hanover County to deed real property to the United States.

The bill passes its second and third readings and is ordered enrolled.

H. B. 360, a bill to amend G. S. 153A-335 to modify authority of Pamlico County to regulate the subdivision of land.

The bill passes its second and third readings and is ordered enrolled.

March 17, 1977

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. J. R. 167, a joint resolution designating the third week in April as "National Library Week."

H. B. 196, an act to prohibit the taking of game from certain public highways in Martin County.

H. B. 220, an act to prohibit the hunting of bear in Beaufort County.

On motion of Senator Henley, the Senate adjourns in honor of the University of North Carolina at Chapel Hill, the University of North Carolina at Charlotte, and Wake Forest University at Winston-Salem, playing in the NCAA Basketball Tournament, to meet tomorrow at 10:00 A.M.

FORTY-EIGHTH DAY

SENATE CHAMBER,
Friday, March 18, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we thank Thee for the arrangement of life which provides for both activity and rest. As we approach another weekend, may we be grateful for the opportunity of resting from our labors, and enjoying once more the company of our family and friends. May the easing of our burdens bring refreshment of mind and spirit, preparing us for the resumption of our duties in the week ahead. And to Thee shall be thanksgiving and praise. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

Leaves of absence granted previously to Senators Mathis and Wynne are noted.

The Honorable Harry Phillips, Chief Judge of the Sixth Circuit Court of Appeals, visiting North Carolina to speak at the University of North Carolina at Chapel Hill Moot Court, and his wife are extended courtesies of the floor by the President. On motion of Senator Allsbrook, the rules

are suspended and Judge Phillips is escorted to the Well of the Senate where he briefly addresses the Senate expressing appreciation for the courtesies extended him.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Harris for the **Human Resources Committee:**

H. B. 83, a bill to amend G. S. 66-58 authorizing the use of public school cafeterias for programs to feed the elderly or handicapped citizens of North Carolina, with a favorable report, as amended.

By Senator Childers for the **Manufacturing, Labor and Commerce Committee:**

S. B. 103, a bill to provide that a minor may use a driver's license as verification of age for an employment certificate, without prejudice.

On motion of Senator Childers, the rules are suspended and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Kincaid:

S. B. 256, a bill to restrict the hunting of coons in Avery, Burke, and Caldwell Counties.

Referred to **Wildlife Committee.**

By Senator Daniels:

S. B. 257, a bill to amend Chapter 1436 of the 1957 Session Laws relating to the Currituck County Game Commission.

Referred to **Wildlife Committee.**

By Senator Harrington:

S. B. 258, a bill to require a funeral director's license to relocate graves.

Referred to **Transporation Committee.**

By Senators Marvin, Rauch, and Harris:

S. J. R. 259, a joint resolution recognizing Gastonia as basketball center of North Carolina.

Referred to **Finance Committee.**

By Senator Totherow:

S. B. 260, a bill to provide a limit on liability of the association and to provide a premium tax offset for insurers paying assessments pursuant to Life and Accident and Health Insurance Guaranty Association Act.
Referred to **Insurance Committee.**

By Senators Lake, Winters, and Wynne:

S. J. R. 261, a joint resolution honoring the Campbell College Basketball Team.
Referred to **Rules and Operation of the Senate Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 121, a bill to authorize electronically modulated headlamps on motorcycles and emergency vehicles, for concurrence in the House amendment which is placed on the Calendar for Monday, March 21.

H. B. 72, Committee Substitute for H. B. 72, a bill to repeal the Motor Vehicles Habitual Offender Statutes.
Referred to **Judiciary II Committee.**

H. B. 244, a bill amending Article 35 of Chapter 106 relating to public livestock markets.
Referred to **Agriculture Committee.**

H. B. 305, a bill to extend the expiration date of the Fair Access Insurance Plan from December 31, 1977, to December 31, 1980.
Referred to **Insurance Committee.**

H. B. 373, a bill to amend Chapter 503 of the Session Laws of 1971 to provide for nine members on Dare County Airport Authority.
Referred to **Transportation Committee.**

H. B. 394, a bill to amend the Firemen's Pension Fund.
Referred to **Appropriations Committee.**

H. B. 395, a bill to delete Lenoir County from G. S. 47-32.2 so that willful violations of G. S. 47-30 and G. S. 47-32, concerning filing of maps, shall be punishable.
Referred to **Local Government and Regional Affairs Committee.**

H. B. 396, a bill to delete Lenoir County from G. S. 47-32 so that maps must meet clerk's specifications.
Referred to **Local Government and Regional Affairs Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 42, a bill to amend G. S. Chapter 35 relating to mental diseases and incompetents to remove sex discrimination, for concurrence in the House amendments.

On motion of Senator Sebo, the Senate concurs in the House amendments and the bill is ordered enrolled.

S. B. 178, a bill to require prosecutors to furnish to the defense by way of discovery the statements known to the State made by the defendant or codefendant whether or not the prosecutor intends to introduce the statements into evidence at trial.

On motion of Senator Allsbrook, the Committee amendment is adopted.

The bill, as amended, passes its second reading.

On objection of Senator Hardison to its third reading the bill, as amended, remains on the Calendar.

S. B. 221, a bill to correct a spelling error in 1977 Session Laws Chapter 18 which repeals misdemeanor treatment of violation of ABC Board rules.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 288, a bill to amend G. S. 131-3 to allow the North Carolina Orthopedic Hospital at Gastonia to operate a school.

On motion of Senator Harris, the Committee amendment is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 333, a bill to revise and consolidate the Charter of the City of Marion and to repeal prior local acts, upon third reading.

The bill passes its third reading by roll-call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Kincaid, Lake, Lawing, Marion, Marvin, McDuffie, Palmer, Popkin, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Speed, Swain, Totherow, Walker, Webster, Whichard, White, and Winters — 41.

The bill is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 107, an act to amend Article 6 of Chapter 53 relating to banks to provide for legal banking holidays.

March 18, 1977

S. B. 184, an act to amend G. S. 143-452(g) relating to the license of a pesticide applicator.

H. B. 82, an act to authorize absentee ballots in the election for members of the County Board of Education in the Counties of Jackson, Madison and Swain.

H. B. 136, an act to clarify the penalties for evasion of property taxes.

H. B. 153, Committee Substitute for **H. B. 153**, an act to provide procedures for persons entitled to vote absentee ballots pursuant to G. S. 163-245 to vote in person under certain conditions.

H. B. 234, Committee Substitute for **H. B. 234**, an act to abolish the Office of Coroner in Warren, Camden, and Perquimans Counties.

H. B. 272, an act to provide for precinct assistants at the option of boards of elections.

H. B. 313, an act to amend G. S. 14-111.3, which makes false ambulance requests unlawful in certain named counties, to include Ashe County.

H. B. 351, an act to amend G. S. 160A-274 to authorize New Hanover County to deed real property to the United States.

H. B. 360, an act to amend G. S. 153A-335 to modify authority of Pamlico County to regulate the subdivision of land.

On motion of Senator Henley, the Senate adjourns in honor of the University of North Carolina at Chapel Hill, the University of North Carolina at Charlotte, and Wake Forest University at Winston-Salem playing in the NCAA Basketball Tournament to meet Monday at 8:00 P.M.

FORTY-NINTH DAY

SENATE CHAMBER,
Monday, March 21, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Reverend Woodrow W. Wald, Pastor of Sandy Plains Baptist Church, Cleveland County, as follows:

"Eternal God, who dost reveal Thyself to those who earnestly seek Thee, we are grateful for the processes that allow us to join in the endeavors of bettering our State and our world. We thank Thee, too, for Thy guiding light and for the fact that Thou art interested in what happens in this place. May we be keenly aware of how important it is for each person in this Assembly to seek the highest good for all concerned, and may this Session be permeated with Thy spirit, and Thy purposes. For we ask it in Thy Holy name. Amen."

March 21, 1977

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of Friday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

A leave of absence granted previously to Senator Wynne is noted.

The President recognizes the following pages serving in the Senate this week: Suzanne Bond, Charlotte; Kim Brittain, Charlotte; Emily Calloway, Raleigh; Lee Campbell, Raleigh; Dorothy Cherry, Rich Square; Brenda Darden, Conway; Daren Denton, Durham; Claudia Fry, Manteo; Gail Gaskin, Raleigh; Debbie Jackson, Raleigh; Jon Jenrette, Charlotte; Mary Keech, Washington; Cindy Mills, Greenville; Danny Montford, Hubert; Pam Moore, Henderson; John Rogers, Durham; Kim Rook, Bethel; Bert Senior, Chapel Hill; Kim Sullivan, Southern Pines; Lloyd Sullivan, Southern Pines; Bobby Thompson, Spruce Pine; and Kiki Tingas, Charlotte.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Hardison:

S. B. 262, a bill to provide for actuarial notes evaluating all public retirement systems.

Referred to **State Government Committee.**

By Senator Smith of New Hanover:

S. B. 263, a bill to amend G. S. 93-12 to increase the educational requirement and broaden the work experience requirement.

Referred to **Judiciary I Committee.**

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. B. 207

HOUSE OF REPRESENTATIVES
March 21, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the two Senate amendments to House Bill 207, a bill to be entitled an act relating to the games of "bingo" and "skilo" in Chowan, Jones, Pamlico, Union and Cabarrus Counties, and conferees are not requested.

Respectfully,
GRACE A. COLLINS
Principal Clerk

March 21, 1977

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 273, a bill to amend Chapter 58 so as to exempt warranties offered by foreign car distributors from being contracts of insurance.
Referred to **Insurance Committee.**

H. B. 297, a bill to revise and consolidate the Charter of the City of Lenoir and to repeal prior local acts.
Referred to **Local Government and Regional Affairs Committee.**

H. B. 303, a bill to repeal the Tile Contractors' Act.
Referred to **Manufacturing, Labor and Commerce Committee.**

H. B. 322, a bill to amend Chapter 101, Private Laws of 1935 to create the Kannapolis Board of Education and to provide for the election of its members.
Referred to **Education Committee.**

H. B. 352, a bill to amend G. S. 95-17 to exempt retail and wholesale florists and their employees from the provisions of the Maximum Hour Law during the week prior to and including Valentine's Day.
Referred to **Manufacturing, Labor and Commerce Committee.**

H. B. 364, a bill to authorize Alamance County Board of Education to dispose of certain land by private sale, which is a part of the Elon College Elementary School property.
Referred to **Education Committee.**

H. B. 381, a bill to amend G. S. 25-9-403(7), concerning the filing of a financing statement covering timber to be cut.
Referred to **Judiciary II Committee.**

H. B. 389, a bill to repeal G. S. 55A-86 of the General Statutes and to add new G. S. 55A-33.1 concerning action by members of nonprofit corporations without a meeting.
Referred to **Judiciary II Committee.**

H. B. 414, a bill to amend Chapter 18A of the General Statutes to authorize the sale of unfortified wines, in those municipalities and counties having ABC Stores.
Referred to **Alcoholic Beverage Control Committee.**

H. B. 418, a bill to authorize Forsyth County to conduct as owner certain activities in the operation of Tanglewood Park.
Referred to **Local Government and Regional Affairs Committee.**

H. J. R. 471, a joint resolution of commendation and congratulations to the Town of Smithfield on celebrating its bicentennial.

March 21, 1977

On motion of Senator Renfrow, the rules are suspended, and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second and third readings and is ordered enrolled.

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 110, Committee Substitute for **S. B. 110**, a bill to regulate the use of steeljaw or leghold traps for capturing animals or birds in North Carolina, as amended, upon third reading.

Senator Swain offers Amendment No. 3 which is adopted.

Senator White offers Amendment No. 4 which is adopted.

The Committee Substitute bill, as amended, passes its third reading and is ordered engrossed and sent to the House of Representatives.

S. B. 121, a bill to authorize electronically modulated headlamps on motorcycles and emergency vehicles, for concurrence in the House amendment.

On motion of Senator Lawing, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 178, a bill to require prosecutors to furnish to the defense by way of discovery the statements known to the State made by the defendant or codefendant whether or not the prosecutor intends to introduce the statements into evidence at trial, as amended, upon third reading.

On motion of Senator Allsbrook, the bill, as amended, is recommitted to the **Judiciary I Committee.**

H. B. 83, a bill to amend G. S. 66-58 authorizing the use of public school cafeterias for programs to feed the elderly or handicapped citizens of North Carolina.

On motion of Senator Harris, the Committee amendment is adopted.

The bill, as amended, passes its second reading.

On motion of Senator Harris the bill, as amended, remains on the Calendar upon third reading.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 42, an act to amend G. S. Chapter 35 relating to mental diseases and incompetents to remove sex discrimination.

S. B. 133, an act to provide for the recording and indexing of chattel mortgages made by public utilities.

H. B. 333, an act to revise and consolidate the Charter of the City of Marion and to repeal prior local acts.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:00 P.M.

FIFTIETH DAY

SENATE CHAMBER,
Tuesday, March 22, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable John T. Henley, President Pro Tempore of the Senate.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, for the gift of life, and all that adds to its meaning, we offer our thanksgiving. Help to realize how fleeting our productive years really are, and strive to contribute much to the welfare of those who live in our time in history, knowing that what we convey to others will be in time passed on thereby multiplying our contribution to society. In this knowledge, may we find both joy and satisfaction. For Thy name's sake. Amen."

Senator Royall for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President Pro Tempore grants a leave of absence to Senator Sharpe for today.

H. J. R. 471, a joint resolution of commendation and congratulations to the Town of Smithfield on celebrating its bicentennial.

Senator Renfrow moves the joint resolution be recalled from the Enrolling Office for further consideration, which motion prevails. The joint resolution is placed on the Calendar for today.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Wynne for the **Higher Education Committee:**

S. B. 129, a bill to make Indochina refugees eligible for in-state tuition status, with a favorable report.

On motion of Senator Wynne, the bill is re-referred to the **Appropriations Committee.**

By Senator Totherow for the **Insurance Committee:**

S. B. 124, a bill to amend G. S. 58-63 concerning schedule of fees and charges to be collected by the Commissioner of Insurance, with a favorable report.

By Senator Britt for the **Judiciary II Committee:**

S. B. 114, a bill to require motor vehicles to be equipped with exhaust systems which are in good working order and free from gross defects, with an unfavorable report.

S. B. 119, a bill to authorize the trial court to consider visitation privileges in sentencing under G. S. 14-322, with a favorable report, as amended.

S. B. 176, a bill to amend the laws concerning emergency health care treatment in order to clarify their applicability, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Senator Britt, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S. B. 198, a bill to delete the requirement that a former P.O.W. have entered service from North Carolina in order to qualify for a P.O.W. license plate, with a favorable report.

H. B. 277, a bill to amend G. S. 51-3 to remove references to race and to clarify its positions, with a favorable report.

By Senator Combs for the **Wildlife Committee.**

H. B. 274, a bill to amend Chapter 269, Session Laws of 1975, so as to prohibit night hunting with artificial lights in Rowan County, with a favorable report.

H. B. 299, a bill to amend Chapter 341, Session Laws of 1975, so as to make it applicable to Rowan County, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Lawing:

S. B. 264, a bill to permit participation in certain field trials for beagles without a hunting license.

Referred to **Wildlife Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 176, Committee Substitute for **S. B. 176,** a bill to amend the laws concerning emergency health care treatment in order to clarify their applicability.

On motion of Senator Britt, the Committee Substitute bill is adopted, and on his further motion the Committee Substitute bill is placed on the Calendar for Thursday, March 24.

H. B. 83, a bill to amend G. S. 66-58 authorizing the use of public school cafeterias for programs to feed the elderly or handicapped citizens of North Carolina, as amended, upon third reading.

On motion of Senator Harris, the bill, as amended, is re-referred to the **Appropriations Committee.**

H. J. R. 471, a joint resolution of commendation and congratulations to the Town of Smithfield on celebrating its bicentennial.

Senator Renfrow moves that the vote by which the joint resolution passed its third reading be reconsidered, which motion prevails.

Senator Renfrow offers Amendment No. 1 which is adopted.

The joint resolution, as amended, passes its third reading and is ordered returned to the House of Representatives for concurrence in the Senate amendment.

On motion of Senator Royall, the Senate adjourns to meet tomorrow at 1:00 P.M.

FIFTY-FIRST DAY

SENATE CHAMBER,
Wednesday, March 23, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Honorable Bobby Lee Combs, Senator from Catawba County.

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Marion and Totherow for today.

The following bills are reported re-referred to the **Ways and Means Committee** by the Chairman of the **Appropriations Committee** pursuant to Rule 41.1:

S. B. 138, a bill to amend the authorization for a wholly self-liquidating project for Elizabeth City State University that was originally enacted by Chapter 693 of the 1971 Session Laws and was amended by Chapter 692 of the 1973 Session Laws. (Recommended Committee Substitute)

S. B. 139, a bill to amend the authorization for wholly self-liquidating projects for North Carolina State University at Raleigh that were originally enacted by Chapter 523 of the 1973 Session Laws and were amended by Chapter 918 of the 1975 Session Laws.

S. B. 141, a bill to authorize the construction and the financing, without appropriations from the General Fund, of certain capital improvements projects by constituent institutions of the University of North Carolina.

S. B. 174, a bill to amend Chapter 523 of the 1973 Session Laws to provide changes only with respect to a project wholly self-liquidating. (Recommended Committee Substitute)

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Raynor for the **Law Enforcement and Crime Control Committee:**

H. B. 102, a bill to give security guards permission to use mace, with a favorable report.

By Senator Soles for the **Local Government and Regional Affairs Committee:**

S. B. 231, a bill to repeal certain local acts relating to the Chairman of the Board of Commissioners of Transylvania County, and local acts setting the compensation of officials and employees of the County and to provide that the Board of Commissioners shall be subject to Chapter 153A of the General Statutes of North Carolina, with a favorable report.

S. B. 238, a bill to amend the Charter of the Town of Havelock, North Carolina, with a favorable report.

S. B. 240, a bill to allow New Hanover and Pender County to undertake navigation projects and to assess the benefitted property for the cost thereof, with a favorable report.

S. B. 243, a bill to amend Chapter 713 of the Session Laws of 1965, as amended, being the Charter of the City of Charlotte in Mecklenburg

County relating to the terms of office of the members of the Auditorium-Coliseum-Civic Center Authority, with a favorable report.

S. B. 244, a bill to amend Chapter 713 of the 1965 Session Laws, as amended, being the Charter of the City of Charlotte, to change the terms of the members of the Charlotte Parks and Recreation Commission from five to three years, with a favorable report.

S. B. 251, a bill to amend Chapter 416 of the 1973 Session Laws to eliminate the general term "capital projects", and to specify those projects which shall be subject to review by the Charlotte-Mecklenburg Planning Commission, with a favorable report.

H. B. 275, a bill to revise and consolidate the Charter of the Town of Lucama, North Carolina, and to repeal prior charter acts, with a favorable report.

H. B. 284, Committee Substitute for H. B. 284, a bill to validate acts of assistant and deputy registers of deeds, with a favorable report.

H. B. 297, a bill to revise and consolidate the Charter of the City of Lenoir and to repeal prior local acts, with a favorable report.

H. B. 395, a bill to delete Lenoir County from G. S. 47-32.2 so that willful violations of G. S. 47-30 and G. S. 47-32, concerning filing of maps, shall be punishable, with a favorable report.

H. B. 396, a bill to delete Lenoir County from G. S. 47-32 so that maps must meet clerk's specifications, with a favorable report.

H. B. 418, a bill to authorize Forsyth County to conduct as owner certain activities in the operation of Tanglewood Park, with a favorable report.

By Senator Webster for the **Public Utilities and Energy Committee:**

S. B. 187, a bill to amend and to correct omissions and internal inconsistencies in Chapter 159B of the General Statutes, with a favorable report.

On motion of Senator Webster, the bill is re-referred to the **Finance Committee.**

By Senator Henley for the **Rules and Operation of the Senate Committee:**

S. J. R. 215, a joint resolution honoring the life and memory of Dr. Carl Dan Killian, Sr., retired Dean of the Western Carolina University School of Education and Psychology and former member of the General Assembly, with a favorable report.

S. J. R. 245, a joint resolution honoring and commending the North Carolina Student Legislature for its excellence as an educational opportunity for the future leaders of the State of North Carolina, with a favorable report.

S. J. R. 252, a joint resolution honoring Louis Round Wilson, with a favorable report.

S. J. R. 261, a joint resolution honoring the Campbell College Basketball Team, with a favorable report.

H. J. R. 17, a joint resolution congratulating and commending the East Bladen High School Senior Band of Elizabethtown for being selected to represent North Carolina in the National Inaugural Parade, with a favorable report.

H. J. R. 56, a joint resolution honoring High Point Andrews High School, winner of the North Carolina 4-A Football Championship, with a favorable report.

H. J. R. 65, Committee Substitute for H. J. R. 65, a joint resolution excluding resolutions honoring birthdays, days, weeks, events and living members of the House and Senate, with a favorable report, as amended.

H. J. R. 210, a joint resolution honoring the life, service and memory of James Larkin Pearson, with a favorable report, as amended.

H. J. R. 213, a joint resolution honoring the life and memory of Hal W. Little, Jr., former member of the General Assembly, with a favorable report.

H. J. R. 246, a joint resolution honoring the life, service and memory of Lindsay Carter Warren, former member of the North Carolina General Assembly, with a favorable report.

By Senator Whichard for the **State Government Committee:**

S. B. 61, a bill to restructure and rename the Department of Military and Veterans Affairs as the Department of Crime Control, Public Safety and Veterans, without prejudice.

On motion of Senator Whichard, the rules are suspended and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 227, a bill to prohibit members of the General Assembly and officers and employees of the State from serving on Boards of Trustees of community colleges and technical institutes, with a favorable report.

H. B. 326, a bill to give priority treatment to the physically handicapped and to carpoolers and vanpoolers in assigning parking spaces in State-owned lots, with a favorable report.

By Senator Royall for the **Ways and Means Committee:**

S. B. 138, a bill to amend the authorization for a wholly self-liquidating project for Elizabeth City State University that was originally enacted by Chapter 693 of the 1971 Session Laws and was amended by Chapter 692 of the 1973 Session Laws, with an unfavorable report as to bill, favorable as to Appropriations Committee Substitute bill.

On motion of Senator Royall, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S. B. 139, a bill to amend the authorization for wholly self-liquidating projects for North Carolina State University at Raleigh that were originally enacted by Chapter 523 of the 1973 Session Laws and were amended by Chapter 918 of the 1975 Session Laws, with a favorable report.

S. B. 141, a bill to authorize the construction and the financing, without appropriations from the General Fund, of certain capital improvements projects by constituent institutions of the University of North Carolina, with a favorable report.

S. B. 174, a bill to amend Chapter 523 of the 1973 Session Laws to provide change only with respect to a project wholly self-liquidating, with an unfavorable report as to bill, favorable as to Appropriations Committee Substitute bill.

On motion of Senator Royall, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Somers:

S. B. 265, a bill to prohibit minors with felony convictions from holding or obtaining motor vehicle operator's license.

Referred to **Judiciary II Committee.**

By Senators Raynor and Renfrow:

S. B. 266, a bill to establish a commission to study the need for legislation increasing the fees for the service of civil and criminal process.

Referred to **Rules and Operation of the Senate Committee.**

By Senator Scott:

S. B. 267, a bill to appropriate funds to the Administrative Office of the Courts and the Department of Human Resources for use in guardianship proceedings.

Referred to **Appropriations Committee.**

By Senator Combs:

S. B. 268, a bill to require that lifesaving devices be carried on all vessels.

Referred to **Wildlife Committee.**

By Senator Combs:

S. B. 269, a bill to require display of validation decals on both sides of the bow of motorboats.

Referred to **Wildlife Committee.**

By Senators Daniels, Harrington, Britt, and Swain:

S. B. 270, a bill to amend the Uniform Judicial Retirement Act to allow credit for past service as solicitor or district attorney.

Referred to **Courts and Judicial Districts Committee.**

By Senator Combs:

S. J. R. 271, a joint resolution honoring the service and memory of General William Lee Davidson.

Referred to **Rules and Operation of the Senate Committee.**

By Senators Harris, Marvin, and Rauch:

S. B. 272, a bill to appropriate funds from the General Fund to employ and compensate an additional magistrate in Cleveland County.

Referred to **Courts and Judicial Districts Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 25, Committee Substitute for H. B. 25, a bill to repeal G. S. 52-6 relating to the private examination of married women and to make conforming changes in related statutes.

Referred to **Judiciary I Committee.**

H. J. R. 133, a joint resolution memorializing Congress to consider the advisability of making payments in lieu of property taxes to local units of government within which large amounts of federal land are located or large numbers of military personnel are situated.

Referred to **Rules and Operation of the Senate Committee.**

H. B. 157, Committee Substitute for H. B. 157, a bill to validate the application of rural fire protection district funds to rescue and ambulance services.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 221, a bill to amend Chapter 58 of the General Statutes to remove the limitation on the amounts of coverage of certain types of group insurance.

Referred to **Insurance Committee.**

H. B. 237, a bill to amend the effective date of 1975 legislation that allowed income tax deductions for contributions to individual retirement accounts, individual retirement annuities, or retirement bonds which are deductible for federal income tax purposes.

Referred to **Finance Committee.**

H. J. R. 400, a joint resolution honoring the 1976 Masters Golf Tournament Champion, North Carolinian Raymond Floyd.

Referred to **Rules and Operation of the Senate Committee.**

H. J. R. 401, a joint resolution recognizing and congratulating Fayetteville State University for the many contributions it has made in the past one hundred years.

Referred to **Rules and Operation of the Senate Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 119, a bill to authorize the trial court to consider visitation privileges in sentencing under G. S. 14-322.

On motion of Senator Britt, the Committee amendment is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 124, a bill to amend G. S. 58-63 concerning schedule of fees and charges to be collected by the Commissioner of Insurance.

On motion of Senator White, the bill is re-referred to the **Finance Committee.**

S. B. 138, Committee Substitute for **S. B. 138,** a bill to amend the authorization for a wholly self-liquidating project for Elizabeth City State University that was originally enacted by Chapter 693 of the 1971 Session Laws and was amended by Chapter 692 of the 1973 Session Laws.

On motion of Senator Royall, the Committee Substitute bill is adopted, and on his further motion the Committee Substitute bill is placed on the Calendar for Friday, March 25.

S. B. 174, Committee Substitute for **S. B. 174,** a bill to amend Chapter 523 of the 1973 Session Laws to provide change only with respect to a project wholly self-liquidating.

On motion of Senator Royall, the Committee Substitute bill is adopted, and on his further motion the Committee Substitute bill is placed on the Calendar for Friday, March 25.

S. B. 198, a bill to delete the requirement that a former P.O.W. have entered service from North Carolina in order to qualify for a P.O.W. license plate.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 274, a bill to amend Chapter 269, Session Laws of 1975, so as to prohibit night hunting with artificial lights in Rowan County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 277, a bill to amend G. S. 51-3 to remove references to race and to clarify its provisions.

The bill passes its second and third readings and is ordered enrolled.

H. B. 299, a bill to amend Chapter 341, Session Laws of 1975, so as to make it applicable to Rowan County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 340, a bill directing the Wildlife Commission to enforce all local laws respecting wildlife.

Senator Davis offers Amendment No. 1.

Senator Hardison offers a motion to recommit the bill and pending Amendment No. 1 to the **Wildlife Committee.**

Senator Allsbrook offers a substitute motion that the bill and pending Amendment No. 1 do lie upon the table, which motion fails to prevail.

Senator Harris offers a substitute motion to re-refer the bill and pending Amendment No. 1 to the **Appropriations Committee,** which motion fails to prevail.

The motion of Senator Hardison to recommit the bill and pending Amendment No. 1 to the **Wildlife Committee** fails to prevail.

Amendment No. 1 fails of adoption.

Senator Combs calls the previous question, seconded by Senator Harrington. The call is sustained.

The bill passes its second reading.

On objection of Senator Allsbrook to its third reading the bill remains on the Calendar.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. J. R. 50, a joint resolution congratulating and commending the Clayton High School Basketball Team of Clayton for its performance and sportsmanship in winning the State 2-A Conference Basketball Championship in 1976.

S. B. 121, an act to authorize electronically modulated headlamps on motorcycles and emergency vehicles.

H. B. 288, an act to amend G. S. 131-3 to allow the North Carolina Orthopedic Hospital at Gastonia to operate a school.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:00 P.M.

FIFTY-SECOND DAY

SENATE CHAMBER,
Thursday, March 24, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, as we behold the signs of spring all around us, may we be reminded of the fact that even as the flowers reveal their victory over winter's cold, so goodness ultimately conquers evil, and life is triumphant over death. As good men struggle against the forces of darkness help them to remember that there is something in the very creation of the universe which is on the side of truth, beauty and righteousness, and that in the fullness of time these qualities of life will prevail. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Marion and Allsbrook for today and to Senator Palmer for today and Friday, March 24 and 25, to attend a meeting of the Governor's Crime Commission of the Department of Crime Control and Public Safety; and to Senator Totherow for today and Friday, March 24 and 25, due to a death in the family.

The President extends courtesies of the gallery to the Honorable Frank Penn, former Senator from Rockingham County.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hill for the **Constitutional Amendments Committee:**

H. B. 92, Committee Substitute for **H. B. 92,** a bill to amend the Constitution of North Carolina to allow every person the right to insure his or her life for the benefit of his or her spouse or children or both, with a favorable report.

By Senator Harris for the **Human Resources Committee:**

S. B. 131, a bill to amend the Aid to Families with Dependent Children Program set forth in Chapter 108 of the General Statutes to mandate that persons receiving AFDC register and accept reasonable employment, to provide for public service employment priority and to provide for volunteer

employment programs for persons receiving AFDC, with a favorable report, as amended.

S. B. 218, a bill to appropriate general funds to the Department of Human Resources for the purposes of providing support to Youth Unlimited, Inc., with a favorable report.

On motion of Senator Harris, the bill is re-referred to the **Appropriations Committee.**

S. B. 230, a bill to establish a Consumer and Advocacy Advisory Committee for the Blind, with a favorable report, as amended.

On motion of Senator Harris the bill is re-referred to the **Appropriations Committee.**

H. J. R. 343, a joint resolution concerning the need for federal legislation to eliminate the financial hardships imposed upon certain aged and disabled persons in receipt of disability and death benefits from the Veterans Administration due to periodic increases in Social Security monetary benefits, with a favorable report.

By Senator Britt for the **Judiciary II Committee:**

S. B. 63, a bill to amend the statutory provisions for notice and hearing prior to mortgage foreclosure sales to clarify ambiguities and provide for a more efficient procedure, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Senator Britt, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

S. B. 203, a bill to repeal G. S. 55A-86 of the General Statutes and to add new G. S. 55A-33.1 concerning action by members of nonprofit corporations without a meeting, with a favorable report.

S. B. 212, a bill to amend the Uniform Anatomical Gift Act to provide for the donation of all or any part of the ward's body by the guardian before the time of the ward's death, with a favorable report.

H. B. 248, a bill to prohibit driver training instructions by person under the influence, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Sentaors McDuffie, Lawing, Alexander, and Mathis:

S. B. 273, a bill providing for the transfer of the control, management, and operation of the Charlotte Park and Recreation Commission to the City of Charlotte.

Referred to **Local Government and Regional Affairs Committee.**

By Senator White:

S. B. 274, a bill to amend G. S. 143-437 relating to the functions of the Pesticide Board.

Referred to **Agriculture Committee.**

By Senators White and Allsbrook:

S. B. 275, a bill to make it unlawful to hunt with firearms from the public roads in Pitt County.

Referred to **Wildlife Committee.**

By Senators Lake, Allsbrook, Renfrow, Raynor, and Speed:

S. B. 276, a bill to revise sections of the Public Utilities Act, Chapter 62 of the General Statutes, to reform and restructure the Utilities Commission; to redefine the purposes and duties of the Utilities Commission and its staff; to establish a Judicial Tribunal for the setting of utility rates; and to redesign and modernize public utility regulation and rate-making procedure.

Referred to **Public Utilities and Energy Committee.**

By Senators Raynor and Barnes:

S. B. 277, a bill to establish a Benefit and Retirement Fund for Law Enforcement Officers to supersede the existing Law Enforcement Officers' Benefit and Retirement Fund maintained under G. S. 143-166.

Referred to **Law Enforcement and Crime Control Committee.**

By Senator Hill:

S. B. 278, a bill to amend Chapter 868 of the 1975 Session Laws to provide for filling a vacancy in the Henderson County Office of Register of Deeds.

Referred to **Local Government and Regional Affairs Committee.**

By Senators Lawing and McDuffie:

S. B. 279, a bill to revise the formula for the allocation of State Highway Fund appropriations available for secondary road construction.

Referred to **Transportation Committee.**

By Senators Stallings, Alford, White, Lake, Winters, Wynne, Vickery, Marvin, Walker, Marion, Webster, Barnes, Mathis, Childers, Hill, Garrison, Britt, Smith of New Hanover, Smith of Guilford, and Renfrow:

S. B. 280, a bill to appropriate funds for carrying out the purposes of Senate Bill 80 and House Bill 204 dealing with high school graduation competency testing.

Referred to **Appropriations Committee.**

By Senators Stallings, Lake, Winters, Wynne, Vickery, Walker, Marion, Webster, Alford, White, Barnes, Mathis, Childers, Hill, Garrison, Britt, Smith of New Hanover, Smith of Guilford, and Renfrow:

S. B. 281, a bill to appropriate funds for carrying out the purposes of House Bill 205 and Senate Bill 81 dealing with standardized testing in the public schools.

Referred to **Appropriations Committee.**

By Senators Stallings, Winters, Wynne, Childers, Hill, Garrison, Britt, Smith of Guilford, Barnes, Renfrow, and Lake:

S. B. 282, a bill to appropriate funds to the North Carolina Symphony Society, Incorporated.

Referred to **Appropriations Committee.**

By Senators Vickery and Walker:

S. B. 283, a bill to incorporate Foxfire Village in Moore County.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Allsbrook:

S. B. 284, a bill to amend G. S. 130-143 to require all contracts for work, supplies and materials let by sanitary districts, to comply with the provisions of Article 8, Chapter 143 of the General Statutes.

Referred to **Judiciary I Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 413, a bill to exempt the offer and sale of limited partnership interests in partnerships organized for the sole purpose of owning and operating low and moderate income rental housing projects from the registration requirements of the North Carolina Securities Act.

Referred to **Judiciary II Committee.**

H. J. R. 559, a joint resolution urging the Ways and Means Committee of the House of Representatives of the United States Congress to approve any of three bills to designate a legislator's home district as his tax home for income tax purposes.

Referred to **Ways and Means Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 63, Committee Substitute for S. B. 63, a bill to amend the statutory provisions for notice and hearing prior to mortgage foreclosure sales to clarify ambiguities and provide for a more efficient procedure.

On motion of Senator Britt, the Committee Substitute bill is adopted, and on his further motion the Committee Substitute bill is placed on the Calendar for Tuesday, March 29.

S. B. 139, a bill to amend the authorization for wholly self-liquidating projects for North Carolina State University at Raleigh that were originally enacted by Chapter 523 of the 1973 Session Laws and were amended by Chapter 918 of the 1975 Session Laws.

Senator Hardison calls for the "ayes" and "noes." The call is sustained.

The bill passes its second reading by roll-call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marvin, Mathis, McDuffie, Popkin, Rauch, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Somers, Speed, Stallings, Swain, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 43.

The bill remains on the Calendar upon third reading.

S. B. 141, a bill to authorize the construction and the financing, without appropriations from the General Fund, of certain capital improvements projects by constituent institutions of the University of North Carolina.

Senator Hardison calls for the "ayes" and "noes." The call is sustained.

The bill passes its second reading by roll-call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marvin, Mathis, McDuffie, Popkin, Rauch, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 45.

The bill remains on the Calendar upon third reading.

S. B. 176, Committee Substitute for **S. B. 176,** a bill to amend the laws concerning emergency health care treatment in order to clarify their applicability.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. J. R. 215, a joint resolution honoring the life and memory of Dr. Carl Dan Killian, Sr., retired Dean of the Western Carolina University School of Education and Psychology and former member of the General Assembly.

The joint resolution passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 227, a bill to prohibit members of the General Assembly and officers and employees of the State from serving on boards of trustees of community colleges and technical institutes.

Senator Sharpe moves that the rules be suspended and the bill be taken from the Calendar for today, March 24, and re-referred to the **Education Committee.**

Senator Sharpe calls the previous question, seconded by Senator Rauch. The call is sustained.

The motion fails to prevail.

Senator Renfrow offers Amendment No. 1 which fails of adoption.

Senator Webster offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading.

On objection of Senator Sharpe to its third reading the bill, as amended, remains on the Calendar and on his further motion is postponed until Tuesday, March 29, for further consideration.

S. B. 231, a bill to repeal certain local acts relating to the Chairman of the Board of Commissioners of Transylvania County, and local acts setting the compensation of officials and employees of the County and to provide that the Board of Commissioners shall be subject to Chapter 153A of the General Statutes of North Carolina, upon second reading.

The bill passes its second reading by roll-call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Hill, Jordan, Kincaid, Lake, Mathis, McDuffie, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Swain, Walker, Webster, Whichard, White, and Wynne — 39.

The bill remains on the Calendar upon third reading.

S. B. 238, a bill to amend the Charter of the Town of Havelock, North Carolina, upon second reading.

The bill passes its second reading by roll-call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Marvin, Mathis, McDuffie, Popkin, Rauch, Raynor, Renfrow, Scott, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Swain, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 41.

The bill remains on the Calendar upon third reading.

S. B. 240, a bill to allow New Hanover and Pender County to undertake navigation projects and to assess the benefitted property for the cost thereof, upon second reading.

The bill passes its second reading by roll-call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Hill, Kincaid, Lake, Marvin, Mathis, McDuffie, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Vickery, Walker, Webster, Whichard, White, and Wynne — 41.

The bill remains on the Calendar upon third reading.

S. B. 243, a bill to amend Chapter 713 of the Session Laws of 1965, as amended, being the Charter of the City of Charlotte in Mecklenburg County

relating to the terms of office of the members of the Auditorium-Coliseum-Civic Center Authority.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 244, a bill to amend Chapter 713 of the 1965 Session Laws, as amended, being the Charter of the City of Charlotte, to change the terms of the members of the Charlotte Parks and Recreation Commission from five to three years.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. J. R. 245, a joint resolution honoring and commending the North Carolina Student Legislature for its excellence as an educational opportunity for the future leaders of the State of North Carolina.

The joint resolution passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 251, a bill to amend Chapter 416 of the 1973 Session Laws to eliminate the general term "capital projects", and to specify those projects which shall be subject to review by the Charlotte-Mecklenburg Planning Commission.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. J. R. 252, a joint resolution honoring Louis Round Wilson.

The joint resolution passes its second and third readings and is ordered sent to the House of Representatives.

S. J. R. 261, a joint resolution honoring the Campbell College Basketball Team.

The joint resolution passes its second and third readings and is ordered sent to the House of Representatives.

H. J. R. 17, a joint resolution congratulating and commending the East Bladen High School Senior Band of Elizabethtown for being selected to represent North Carolina in the National Inaugural Parade.

The joint resolution passes its second and third readings and is ordered enrolled.

H. J. R. 56, a joint resolution honoring High Point Andrews High School, winner of the North Carolina 4-A Football Championship.

On motion of Senator Henley, consideration of the joint resolution is postponed until Thursday, March 31.

H. J. R. 65, Committee Substitute for H. J. R. 65, a joint resolution excluding resolutions honoring birthdays, days, weeks, events and living members of the House and Senate.

On motion of Senator Henley, the Committee amendment is adopted.

The Committee Substitute joint resolution, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 102, a bill to give security guards permission to use mace.

On motion of Senator Henley, consideration of the bill is postponed until tomorrow, March 25.

H. J. R. 210, a joint resolution honoring the life, service and memory of James Larkin Pearson.

On motion of Senator Henley, the Committee amendment is adopted.

The joint resolution, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. J. R. 213, a joint resolution honoring the life and memory of Hal W. Little, Jr., former member of the General Assembly.

The joint resolution passes its second and third readings and is ordered enrolled.

H. J. R. 246, a joint resolution honoring the life, service and memory of Lindsay Carter Warren, former member of the North Carolina General Assembly.

On motion of Senator Daniels, consideration of the joint resolution is postponed until Tuesday, March 29.

H. B. 275, a bill to revise and consolidate the Charter of the Town of Lucama, North Carolina, and to repeal prior charter acts, upon second reading.

The bill passes its second reading by roll-call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Hill, Jordan, Kincaid, Lake, Marvin, Mathis, McDuffie, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Stallings, Swain, Vickery, Walker, Webster, Whichard, White, and Wynne — 41.

The bill remains on the Calendar upon third reading.

H. B. 284, Committee Substitute for **H. B. 284**, a bill to validate acts of assistant and deputy registers of deeds.

On motion of Senator Soles, consideration of the bill is postponed until Tuesday, March 29.

H. B. 297, a bill to revise and consolidate the Charter of the City of Lenoir and to repeal prior local acts, upon second reading.

The bill passes its second reading by roll-call vote, ayes 41, noes 2, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Marvin, Mathis, McDuffie,

Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Stallings, Swain, Vickery, Walker, Webster, Whichard, White, and Wynne — 41.

Those voting in the negative are: Senators Ballenger and Somers — 2.

The bill remains on the Calendar upon third reading.

H. B. 326, a bill to give priority treatment to the physically handicapped and to carpoolers and vanpoolers in assigning parking spaces in State-owned lots.

On motion of Senator Henley, consideration of the bill is postponed until tomorrow, March 25.

H. B. 340, a bill directing the Wildlife Commission to enforce all local laws respecting wildlife, upon third reading.

Senator Royall offers Amendment No. 2 which is adopted.

The bill, as amended, passes its third reading and is ordered sent to the House of Representatives for concurrence in Senate Amendment No. 2.

H. B. 395, a bill to delete Lenoir County from G. S. 47-32.2 so that willful violations of G. S. 47-30 and G. S. 47-32, concerning filing of maps, shall be punishable.

The bill passes its second and third readings and is ordered enrolled.

H. B. 396, a bill to delete Lenoir County from G. S. 47-32 so that maps must meet clerk's specifications.

The bill passes its second and third readings and is ordered enrolled.

H. B. 418, a bill to authorize Forsyth County to conduct as owner certain activities in the operation of Tanglewood Park.

The bill passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 123, an act to extend the expiration date of the Fair Access Insurance Plan from December 31, 1977, to December 31, 1980.

H. B. 274, an act to amend Chapter 269, Session Laws of 1975, so as to prohibit night hunting with artificial lights in Rowan County.

H. B. 277, an act to amend G. S. 51-3 to remove references to race and to clarify its provisions.

H. B. 299, an act to amend Chapter 341, Session Laws of 1975, so as to make it applicable to Rowan County.

H. J. R. 471, a joint resolution of commendation and congratulations to the Town of Smithfield on celebrating its bicentennial.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 10:00 A.M.

FIFTY-THIRD DAY

SENATE CHAMBER,
Friday, March 25, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Reverend Helen G. Crotwell, Associate Minister to Duke University, Duke University Chapel, Durham.

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Harris and Allsbrook for today. Leaves of absence granted previously to Senators Palmer and Totherow are noted.

H. J. R. 559, a joint resolution urging the Ways and Means Committee of the House of Representatives of the United States Congress to approve any one of three bills to designate a legislator's home district as his tax home for income tax purposes.

On motion of Senator Henley the rules are suspended and the joint resolution is taken from the **Ways and Means Committee** and is placed on the Calendar for immediate consideration.

The joint resolution passes its second and third readings and is ordered enrolled.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Scott of the **University Board of Governors Committee:**

H. J. R. 268, a joint resolution providing for the procedure for nominating and electing members of the Board of Governors of the University of North Carolina, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Combs:

S. B. 285, a bill to regulate the possession and use of firearms on public highways.

Referred to **Judiciary II Committee.**

By Senator Allsbrook:

S. B. 286, a bill to provide a supplemental retirement fund for firemen in the City of Roanoke Rapids and to modify the application of G. S. 118-5, G. S. 118-6, and G. S. 118-7 to the City of Roanoke Rapids.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Somers:

S. B. 287, a bill to require that regular judges of the Superior Court be elected by the qualified voters of their respective judicial divisions.

Referred to **Courts and Judicial Districts.**

By Senator Somers:

S. B. 288, a bill to allow a qualified voter to register his opposition to a sole candidate for nomination for judge of superior court or district court.

Referred to **Election Laws Committee.**

By Senators Swain, Crawford, Smith of New Hanover, Palmer, Somers, Daniels, Ballenger, Marvin, Hill, Lawing, and Barnes:

S. B. 289, a bill to clarify the provisions of G. S. 20-140 and G. S. 20-138 relating to reckless driving.

Referred to **Judiciary I Committee.**

By Senators Alford and Speed:

S. B. 290, a bill to provide that the Mayor and members of the Board of Commissioners of the Town of Red Oak shall be elected for terms of four years.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Vickery:

S. B. 291, a bill to amend Chapter 135 of the General Statutes to preserve retirement benefits for employees of the former Chapel Hill Telephone Company and the former University service plants.

Referred to **State Government Committee.**

By Senator Combs:

S. B. 292, a bill to regulate aquatic ski jumps and other facilities used by water skiers.

Referred to **Wildlife Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 113, a bill to amend G. S. 130-166.18 relating to solid waste disposal, for concurrence in the House amendment which is placed on the Calendar for Monday, March 28.

H. B. 282, Committee Substitute for **H. B. 282,** a bill to provide for a second primary and four-year staggered terms for members of the Anson County Board of Education, and the filling of vacancies.

Referred to **Education Committee.**

H. B. 306, Committee Substitute for **H. B. 306,** a bill to delete certain provisions of G. S. 58-9 and 58-63 re publication of reports and fees collected therefor.

Referred to **Insurance Commitee.**

H. B. 374, a bill to amend the Henderson Firemen's Supplemental Retirement System to lower the retirement age to 55.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 408, a bill to amend Chapter 159 of the General Statutes of North Carolina by providing for the application of the proceeds of refunding bonds; to permit the issuance of special obligation bonds payable solely from the proceeds of securities purchased with the proceeds of refunding bonds and special obligation refunding bonds; and to permit the private sales of certain refunding bonds.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 458, a bill to waive compliance with certain statutes in the construction of Wake County Medical Center parking deck.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 469, a bill to authorize the City of Salisbury to rent or lease certain property for a period of more than 10 years without following the procedures required for sale of real property.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 481, a bill to authorize the Board of County Commissioners of Buncombe County to appropriate for the use of Eliada Home for Children in Buncombe County a sum not in excess of twenty thousand dollars per year.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 491, a bill to place Ashe, Beaufort and Hyde Counties under G. S. 44-51.8 relating to attachment or garnishment for ambulance service in certain counties.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 498, a bill authorizing the members of the New Bern City School District Board of Education to fix their own compensation not to exceed one hundred dollars per month for the chairman and fifty dollars per month for each other member.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 518, a bill to allow Forsyth County Hospital Authority, Inc., to be self-insured or to purchase insurance.

Referred to **Local Government and Regional Affairs Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 131, a bill to amend the Aid to Families with Dependent Children Program set forth in Chapter 108 of the General Statutes to mandate that persons receiving AFDC register and accept reasonable employment, to provide for public service employment priority and to provide for volunteer employment programs for persons receiving AFDC.

On motion of Senator Davis, the Committee amendment is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 138, Committee Substitute for S. B. 138, a bill to amend the authorization for wholly self-liquidating project for Elizabeth City State University that was originally enacted by Chapter 693 of the 1971 Session Laws and was amended by Chapter 692 of the 1973 Session Laws, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Swain, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 41.

The Committee Substitute bill remains on the Calendar upon third reading.

S. B. 139, a bill to amend the authorization for wholly self-liquidating projects for North Carolina State University at Raleigh that were originally enacted by Chapter 523 of the 1973 Session Laws and were amended by Chapter 918 of the 1975 Session Laws, upon third reading.

The bill passes its third reading by roll-call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Swain, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 40.

March 25, 1977

The bill is ordered sent to the House of Representatives.

S. B. 141, a bill to authorize the construction and the financing, without appropriations from the General Fund, of certain capital improvements projects by constituent institutions of the University of North Carolina, upon third reading.

The bill passes its third reading by roll-call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Swain, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 40.

The bill is ordered sent to the House of Representatives.

S. B. 174, Committee Substitute for S. B. 174, a bill to amend Chapter 523 of the 1973 Session Laws to provide change only with respect to a project wholly self-liquidating, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Henley, Jordan, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Swain, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 39.

The Committee Substitute bill remains on the Calendar upon third reading.

S. B. 203, a bill to repeal G. S. 55A-86 of the General Statutes and to add new G. S. 55A-33.1 concerning action by members of nonprofit corporations without a meeting.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

Senator Henley requests to be recorded as voting "aye."

S. B. 212, a bill to amend the Uniform Anatomical Gift Act to provide for the donation of all or any part of the ward's body by the guardian before the time of the ward's death.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 231, a bill to repeal certain local acts relating to the Chairman of the Board of Commissioners of Transylvania County, and local acts setting the compensation of officials and employees of the County and to provide that the Board of Commissioners shall be subject to Chapter 153A of the General Statutes of North Carolina, upon third reading.

The bill passes its third reading by roll-call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senatcrs Alexander, Alford, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Swain, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 43.

The bill is ordered sent to the House of Representatives.

S. B. 238, a bill to amend the Charter of the Town of Havelock, North Carolina, upon third reading.

The bill passes its third reading by roll-call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Swain, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 43.

The bill is ordered sent to the House of Representatives.

S. B. 240, a bill to allow New Hanover and Pender County to undertake navigation projects and to assess the benefitted property for the cost thereof, upon third reading.

The bill passes its third reading by roll-call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Barnes, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Henley, Hill, Jordan, Lake, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Swain, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 39.

The bill is ordered sent to the House of Representatives.

H. B. 92, Committee Substitute for H. B. 92, a bill to amend the Constitution of North Carolina to allow every person the right to insure his or her life for the benefit of his or her spouse or children or both, upon second and third reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Swain, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 40.

Without objection the Committee Substitute bill passes its third reading by roll-call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Barnes, Britt, Childers, Combs, Crawford, Davis, Garrison, Gray, Hardison,

Harrington, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Swain, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 41.

Having received a favorable vote of three-fifths of the members of the Senate the Committee Substitute bill is ordered enrolled.

H. B. 102, a bill to give security guards permission to use mace.

The bill passes its second reading.

On objection of Senator Rauch to its third reading the bill remains on the Calendar.

H. B. 248, a bill to prohibit driver training instructions by persons under the influence.

The bill passes its second and third readings, and is ordered enrolled.

H. B. 275, a bill to revise and consolidate the Charter of the Town of Lucama, North Carolina, and to repeal prior charter acts, upon third reading.

The bill passes its third reading by roll-call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Speed, Swain, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 39.

The bill is ordered enrolled.

H. B. 297, a bill to revise and consolidate the Charter of the City of Lenoir and to repeal prior local acts, upon third reading.

The bill passes its third reading by roll-call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Speed, Swain, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 39.

The bill is ordered enrolled.

H. B. 326, a bill to give priority treatment to the physically handicapped and to carpoolers and vanpoolers in assigning parking spaces in State-owned lots.

The bill passes its second and third readings and is ordered enrolled.

H. J. R. 343, a joint resolution concerning the need for federal legislation to eliminate the financial hardships imposed upon certain aged and disabled persons in receipt of disability and death benefits from the Veterans Administration due to periodic increases in Social Security monetary benefits.

The joint resolution passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the Office of the Secretary of State:

S. B. 206, an act relating to the meetings of and the Clerk to the Gaston County Board of Commissioners.

S. B. 219, an act to abolish the Office of Coroner in Wake County.

S. J. R. 245, a joint resolution honoring and commending the North Carolina Student Legislature for its excellence as an educational opportunity for the future leaders of the State of North Carolina.

H. J. R. 17, a joint resolution congratulating and commending the East Bladen High School Senior Band of Elizabethtown for being selected to represent North Carolina in the National Inaugural Parade.

H. J. R. 213, a joint resolution honoring the life and memory of Hal W. Little, Jr., former member of the General Assembly.

H. B. 395, an act to delete Lenoir County from G. S. 47-32.2 so that willful violations of G. S. 47-30 and G. S. 47-32, concerning filing of maps, shall be punishable.

H. B. 396, an act to delete Lenoir County from G. S. 47-32 so that maps must meet clerk's specifications.

H. B. 418, an act to authorize Forsyth County to conduct as owner certain activities in the operation of Tanglewood Park.

H. J. R. 559, a joint resolution urging the Ways and Means Committee of the House of Representatives of the United States to approve any one of three bills to designate a legislator's home district as his tax home for income tax purposes.

On motion of Senator Henley, the Senate adjourns in honor of the University of North Carolina at Chapel Hill and the University of North Carolina at Charlotte playing in the NCAA Basketball Finals to meet Monday at 7:00 P.M.

FIFTY-FOURTH DAY

SENATE CHAMBER,
Monday, March 28, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we thank Thee for the revelation of Thyself which we have in Holy Scripture — a God of compassion, tender mercies, and of great kindness. We are grateful that we are not called upon to appease an angry God but to live in obedience to a God of love. May this knowledge of Thee never tempt us to impose upon Thy goodness but rather may we be inspired by it. For Thy name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of Friday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senators White, Sharpe and Vickery for tonight and to Senator Combs for tomorrow, March 29.

The President recognizes the following pages serving in the Senate this week: Cheryl Banks, Shelby; Clement Brewer, Charlotte; Shaun Echols, Greensboro; James Edwards, Loris; Bill Harper, Chapel Hill; Cindy Hodges, Washington; Janet Hornsby, Lillington; Billy James, Weldon; Karen Marbert, Greensboro; Beth Myatt, High Point; Ann Neill, High Point; John Owens, Kinston; Steve Semmler, Greensboro; Steve Tyburski, Greenville; and David White, Greensboro.

S. B. 63, Committee Substitute for S. B. 63, a bill to amend the statutory provisions for notice and hearing prior to mortgage foreclosure sales to clarify ambiguities and provide for a more efficient procedure.

On motion of Senator Smith of Guilford the rules are suspended and the Committee Substitute bill is taken from the Calendar for tomorrow, March 29 and recommitted to the Committee on Judiciary II.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senators Britt, Daniels, Garrison, Hardison, Harrington, Henley, Vickery, Walker, Webster, Whichard, Stallings, Smith of New Hanover, Scott, Alexander, McDuffie, Barnes, Childers, Palmer, Sharpe, Gray, Sebo, Speed, Raynor, Popkin, Renfrow, Smith of Guilford, Winters, Alford, Rauch, Davis, Marvin, Wynne, Harris, Combs, Marion, Jordan, and Totherow:

S. B. 293, a bill to amend the Constitution of North Carolina to empower the voters to elect the Governor and Lieutenant Governor for two consecutive terms.

Referred to the **Constitutional Amendments Committee.**

By Senator Childers:

S. B. 294, a bill to amend Chapter 127A, Article 15 relating to the North Carolina National Guard Tuition Assistance Act of 1975.

Referred to the **Veterans and Military Affairs Committee.**

By Senator Rauch:

S. B. 295, a bill to amend the Health Care Facilities Finance Act to permit the powers granted thereunder to the North Carolina Medical Care Commission to be exercised by the Executive Committee of said Commission.

Referred to the **Finance Committee.**

By Senator Daniels:

S. B. 296, a bill to amend G. S. 105-147 of the General Statutes relating to contributions to the Civil Air Patrol.

Referred to the **Veterans and Military Affairs Committee.**

By Senator McDuffie:

S. B. 297, a bill to amend G. S. 163-96 relative to the formation of new political parties.

Referred to **Election Laws Committee.**

By Senator McDuffie:

S. B. 298, a bill to clarify requirement of candidate seeking nomination by filing petition in lieu of paying filing fee.

Referred to **Election Laws Committee.**

By Senator McDuffie:

S. B. 299, a bill to require disclosure detail regarding proceeds from loans used by candidates for political office and political committees.

Referred to **Election Laws Committee.**

By Senator Popkin:

S. B. 300, a bill to amend G. S. 7A-312 to increase the compensation fee for jurors.

Referred to **Courts and Judicial Districts Committee.**

By Senator Whichard:

S. B. 301, a bill to amend G. S. 126-2 to increase the number of members of the State Personnel Commission and provide for local government employee representation.

Referred to **State Government Committee.**

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By Senators Marion, Winters, Lake, Sharpe, Walker, Kincaid, Ballenger, Swain, McDuffie, Alford, Speed, Marvin, Webster, Jordan, and Combs:

S. B. 302, a bill to make theater admissions in violation of rating guides a misdemeanor.
Referred to **Judiciary II Committee.**

By Senators Marion and Palmer:

S. B. 303, a bill to repeal special provisions of the General Statutes exempting bicycles with helper motors from the motor vehicle laws.
Referred to **Judiciary II Committee.**

By Senators Marion, Ballenger, Webster, Combs, and Sharpe:

S. B. 304, a bill to increase the District Court Judges in the 23rd Judicial District.
Referred to **Courts and Judicial Districts Committee.**

By Senators Marion, Ballenger, Webster, Combs, and Sharpe:

S. B. 305, a bill to increase the number of full-time assistant district attorneys in the 23rd Judicial District.
Referred to **Courts and Judicial Districts Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 170, Committee Substitute for **H. B. 170**, a bill to amend G. S. 88-1, relating to cosmetologists so as to make the provisions of said Act apply to Cumberland, Forsyth, Stanly and Union Counties.
Referred to **Human Resources Committee.**

H. B. 382, a bill to permit the Town of Highlands to impose a privilege license on auction galleries.
Referred to **Local Government and Regional Affairs Committee.**

H. B. 386, a bill authorizing the City of Charlotte and Cabarrus Memorial Hospital to sell their undivided interest in certain property of an out-of-state corporation.
Referred to **Local Government and Regional Affairs Committee.**

H. B. 453, a bill to repeal Chapter 125 of the 1870 Public Laws regulating the Scotch Fair.
Referred to **Local Government and Regional Affairs Commtitee.**

H. B. 454, a bill to repeal Chapter 247 of the 1943 Session Laws relating to the Richmond County Airport Commission.
Referred to **Local Government and Regional Affairs Committee.**

H. B. 455, a bill to repeal Chapter 1003 of the 1961 Session Laws prohibiting any person from hunting deer with a rifle in Richmond County.

Referred to **Wildlife Committee.**

H. B. 459, a bill to authorize the Secretary of Human Resources to designate a subordinate officer or employee of the Department as the State Registrar of Vital Statistics.

Referred to **Human Resources Committee.**

H. B. 515, a bill to make it unlawful to hunt with firearms from the public roads in Pitt County, and Cumberland County.

Referred to **Wildlife Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 113, a bill to amend G. S. 130-166.18 relating to solid waste disposal, for concurrence in the House amendment.

On motion of Senator Totherow, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 138, Committee Substitute for S. B. 138, a bill to amend the authorization for wholly self-liquidating project for Elizabeth City State University that was originally enacted by Chapter 693 of the 1971 Session Laws and was amended by Chapter 692 of the 1973 Session Laws, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Barnes, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Kincaid, Lake, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, Winters, and Wynne — 38.

The Committee Substitute bill is ordered sent to the House of Representatives.

S. B. 174, Committee Substitute for S. B. 174, a bill to amend Chapter 523 of the 1973 Session Laws to provide change only with respect to a project wholly self-liquidating, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 40, noes 1, as follows.

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Renfrow, Royall, Scott, Sebo, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, Winters, and Wynne — 40.

Voting in the negative is: Senator Crawford — 1.

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The Committee Substitute bill is ordered sent to the House of Representatives.

H. B. 102, a bill to give security guards permission to use mace, upon third reading.

Senator Winters offers Amendment No. 1.

On motion of Senator Crawford, consideration of the bill with pending Amendment No. 1 is postponed until tomorrow, March 29.

H. J. R. 268, a joint resolution providing for the procedure for nominating and electing members of the Board of Governors of the University of North Carolina.

The joint resolution passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 159, an act to amend G. S. 7A-133 by adding an additional seat of court for District Court in Lenoir County.

S. B. 161, an act to amend G. S. 7A-133 by adding an additional seat of court for District Court in Robeson County.

H. J. R. 65, Committee Substitute for **H. J. R. 65**, a joint resolution excluding resolutions honoring birthdays, days, weeks, events and living members of the House and Senate.

H. B. 92, Committee Substitute for **H. B. 92**, an act to amend the Constitution of North Carolina to allow every person the right to insure his or her life for the benefit of his or her spouse or children or both.

H. J. R. 210, a joint resolution honoring the life, service and memory of James Larkin Pearson.

H. B. 248, an act to prohibit driver training instructions by person under the influence.

H. B. 275, an act to revise and consolidate the Charter of the Town of Lucama, North Carolina, and to repeal prior charter acts.

H. B. 297, an act to revise and consolidate the Charter of the City of Lenoir and to repeal prior local acts.

H. B. 326, an act to give priority treatment to the physically handicapped and to carpoolers and vanpoolers in assigning parking spaces in State-owned lots.

H. B. 340, an act directing the Wildlife Commission to enforce all local laws respecting wildlife.

H. J. R. 343, a joint resolution concerning the need for federal legislation to eliminate the financial hardships imposed upon certain aged and disabled persons in receipt of disability and death benefits from the Veterans Administration due to periodic increases in Social Security monetary benefits.

On motion of Senator Henley, the Senate adjourns in honor of the University of North Carolina at Chapel Hill and the University of North Carolina at Charlotte playing in the NCAA Basketball Tournament Finals, to meet tomorrow at 1:00 P.M.

FIFTY-FIFTH DAY

SENATE CHAMBER,
Tuesday, March 29, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Mr. Samuel W. Lanhan, a member of the staff of the International Up With People group.

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Sharpe for today. A leave of absence granted previously to Senator Combs is noted.

H. B. 408, a bill to amend Chapter 159 of the General Statutes of North Carolina by providing for the application of the proceeds of refunding bonds; to permit the issuance of special obligation bonds payable solely from the proceeds of securities purchased with the proceeds of refunding bonds and special obligation refunding bonds; and to permit the private sales of certain refunding bonds.

On motion of Senator Soles the rules are suspended and the bill is taken from the **Local Government and Regional Affairs Committee** and re-referred to the **Finance Committee.**

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator White for the **Agriculture Committee:**

S. B. 274, a bill to amend G. S. 143-437 relating to the functions of the Pesticide Board, with a favorable report.

H. B. 244, a bill amending Article 35 of Chapter 106 relating to public livestock markets, with a favorable report.

H. B. 331, a bill to amend the Uniform Boll Weevil Eradication Act, Article 4F of Chapter 106, with a favorable report.

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 284, a bill to amend G. S. 130-143 to require all contracts for work, supplies and materials let by sanitary districts, to comply with the provisions of Article 8, Chapter 143 of the General Statutes, with a favorable report.

S. B. 289, a bill to clarify the provisions of G. S. 20-140 and G. S. 20-138 relating to reckless driving, with a favorable report.

By Senator Britt for the **Judiciary II Committee:**

S. B. 202, a bill to amend G. S. 55A-15(a)(8) of the General Statutes and to add new G. S. 55A-17.1, G. S. 55A-17.2, and G. S. 55A-17.3 concerning indemnification of officers and directors of nonprofit corporations, with a favorable report.

H. B. 300, a bill to repeal G. S. 130-58.1 concerning neglected illegitimate children, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Whichard:

S. B. 306, a bill to increase the death benefit for law enforcement officers, firemen, rescue workers and Civil Air Patrol members.
Referred to **Appropriations Committee.**

By Senators Renfrow and Palmer:

S. B. 307, a bill to amend G. S. 135-4(k), relating to the repayment of retirement contributions of teachers and State employees.
Referred to **Appropriations Committee.**

By Senators Speed and Alford:

S. B. 308, a bill to appropriate funds to the Department of Natural and Economic Resources for forest fire control purposes.
Referred to **Natural and Economic Resources Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 64, Committee Substitute for **H. B. 64,** a bill to amend Article 4C of Chapter 106 of the General Statutes, the Structural Pest Control Act.

Referred to **Agriculture Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 227, a bill to prohibit members of the General Assembly and officers and employees of the State from serving on Boards of Trustees of community colleges and technical institutes, as amended, upon third reading.

Senator Marvin moves the bill, as amended, be removed from the Calendar for today, March 29 and re-referred to the **Education Committee.**

Senator Allsbrook offers a substitute motion to remove the bill, as amended, from the Calendar for today and to recomit the bill, as amended, to the **State Government Committee.** The substitute motion fails to prevail.

The motion of Senator Marvin to re-refer the bill, as amended, to the **Education Committee** fails to prevail.

Senator Jordan calls the previous question, duly seconded. The call is sustained.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the House of Representatives.

H. B. 102, a bill to give security guards permission to use mace, upon third reading.

Pending Amendment No. 1 offered by Senator Winters on March 28 is adopted.

The bill, as amended, passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. J. R. 246, a joint resolution honoring the life, service and memory of Lindsay Carter Warren, former member of the North Carolina General Assembly.

The joint resolution passes its second and third readings and is ordered enrolled.

H. B. 284, Committee Substitute for **H. B. 284,** a bill to validate acts of assistant and deputy registers of deeds.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 113, an act to amend G. S. 130-166.18 relating to solid waste disposal.

H. J. R. 268, a joint resolution providing for the procedure for nominating and electing members of the Board of Governors of the University of North Carolina.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:00 P.M.

FIFTY-SIXTH DAY

SENATE CHAMBER,
Wednesday, March 30, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Reverend Polk Moffitt, Associate Minister, White Memorial Presbyterian Church, Raleigh.

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Winters for the **Alcoholic Beverage Control Committee:**

H. B. 414, a bill to amend Chapter 18A of the General Statutes to authorize the sale of unfortified wines, in those municipalities and counties having ABC Stores, with a favorable report.

By Senator McDuffie for the **Election Laws Committee:**

H. B. 48, Committee Substitute for **H. B. 48**, a bill to amend G. S. 163-74 relating to party affiliation and change of party affiliation, with a favorable report.

By Senator Totherow for the **Insurance Committee:**

S. B. 144, a bill to amend Article 25A of Chapter 58 of the General Statutes to require the reinsurance facility to provide additional ceding privileges for motor vehicle liability insurance, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Totherow, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

By Senator Soles for the **Local Government and Regional Affairs Committee:**

S. B. 148, a bill to revise and consolidate the Charter of the City of Lenoir and to repeal prior local acts, with a favorable report.

S. B. 273, a bill providing for the transfer of the control, management, and operation of the Charlotte Park and Recreation Commission to the City of Charlotte, with a favorable report.

S. B. 278, a bill to amend Chapter 868 of the 1975 Session Laws to provide for filling a vacancy in the Henderson County Office of Register of Deeds, with a favorable report.

S. B. 290, a bill to provide that the Mayor and members of the Board of Commissioners of the Town of Red Oak shall be elected for terms of four years, with a favorable report.

H. B. 157, Committee Substitute for **H. B. 157,** a bill to validate the application for rural fire protection district funds to rescue and ambulance services, with a favorable report.

H. B. 324, a bill permitting municipal or county regulation of the solicitation of charitable funds in Forsyth County, with an unfavorable report as to bill, favorable as to Senate Committee Substitute bill.

On motion of Senator Soles, the rules are suspended and the Senate Committee Substitute bill is placed on today's Calendar.

H. B. 374, a bill to amend the Henderson Firemen's Supplemental Retirement System to lower the retirement age to 55, with a favorable report.

H. B. 386, Committee Substitute for **H. B. 386,** a bill authorizing the City of Charlotte and Cabarrus Memorial Hospital to sell their undivided interest in certain property of an out-of-state corporation, with a favorable report.

H. B. 458, a bill to waive compliance with certain statutes in the construction of Wake County Medical Center parking deck, with a favorable report.

H. B. 469, a bill to authorize the City of Salisbury to rent or lease certain property for a period of more than 10 years without following the procedures required for sale of real property, with a favorable report.

H. B. 481, a bill to authorize the Board of County Commissioners of Buncombe County to appropriate for the use of Eliada Home for Children in Buncombe County a sum not in excess of twenty thousand dollars per year, with a favorable report.

H. B. 491, a bill to place Ashe, Beaufort and Hyde Counties under G. S. 44-51.8 relating to attachment or garnishment for ambulance service in certain counties, with a favorable report.

H. B. 498, a bill authorizing the members of the New Bern City School District Board of Education to fix their own compensation not to exceed one hundred dollars per month for the chairman and fifty dollars per month for each other member, with a favorable report.

H. B. 518, a bill to allow Forsyth County Hospital Authority, Inc., to be self-insured or to purchase insurance, with a favorable report.

By Senator Whichard for the **State Government Committee:**

S. B. 31, a bill prohibiting the receiving of compensation by anyone aiding or assisting a person in obtaining employment with the State of North Carolina, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Palmer:

S. B. 309, a bill to amend Chapter 127A, Article 3 of the General Statutes relating to National Guard citations.
Referred to **Veterans and Military Affairs Committee.**

By Senators Marvin, Barnes, Sebo, Walker, Mathis, Garrison, Gray, and Renfrow:

S. B. 310, a bill to establish the North Carolina Internship Commission of the Department of Administration.
Referred to **State Government Committee.**

By Senator Vickery:

S. B. 311, a bill to amend G. S. 95-98 to provide that local governing bodies may meet and confer with employee organizations.
Referred to **Manufacturing, Labor and Commerce Committee.**

By Senator Vickery:

S. B. 312, a bill to provide for the employment of instructional specialists in the public schools through an allocation of funds on a per pupil basis.
Referred to **Education Committee.**

By Senators Vickery, Totherow, and Walker:

S. B. 313, a bill to permit juries to determine whether a defendant has stolen property or received it with knowledge of its source.
Referred to **Judiciary I Committee.**

By Senator Somers:

S. J. R. 314, a joint resolution creating a Committee for the Study of Qualifications and Standards for the Judiciary in North Carolina.
Referred to **Judiciary I Committee.**

By Senators Swain and Crawford:

S. B. 315, a bill to amend the Constitution of North Carolina to provide four-years terms of office for magistrates instead of two years.
Referred to **Constitutional Amendments Committee.**

By Senators Swain, Crawford, and Vickery:

S. B. 316, a bill to increase the jurisdictional amount for small claims action from five hundred to one thousand dollars.
Referred to **Courts and Judicial Districts Committee.**

By Senator Harris:

S. B. 317, a bill to authorize magistrates to enter immediate custody order when district court is not open for regular dispatch of business.
Referred to **Courts and Judicial Districts Committee.**

By Senator Kincaid:

S. B. 318, a bill to require a mandatory five-year minimum sentence upon conviction of a felony involving the use of a firearm.
Referred to **Judiciary I Committee.**

By Senator Kincaid:

S. B. 319, a bill to authorize the State Board of Alcoholic Control to issue special permits for the sale of intoxicating liquors by certain persons not holding wholesale or retail permits.
Referred to **Alcoholic Beverage Control Committee.**

By Senators Sebo, Gray, Marvin, and Mathis:

S. B. 320, a bill to amend Section 143B-394 of the General Statutes to increase to 20 the members of the Council on the Status of Women.
Referred to **State Government Committee.**

By Senators Sebo, Mathis, Marvin, Gray, Walker, Wynne, Winters, Whichard, Jordan, and Scott:

S. B. 321, a bill to amend the Aid to Families with Dependent Children Program set forth in Chapter 108 of the General Statutes to provide for assistance to dependent children of unemployed fathers.
Referred to **Human Resources Committee.**

By Senator Palmer:

S. B. 322, a bill to amend the subsections of Chapter 127A of the General Statutes relating to the award of state military medals and decorations.
Referred to **Veterans and Military Affairs Committee.**

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By Senator Palmer:

S. B. 323, a bill renaming Cedar Cliff, located in Haywood County, as Ferguson Mountain.

Referred to **Local Government and Regional Affairs Committee.**

By Senators Barnes, Marvin, McDuffie, and Lawing:

S. B. 324, a bill to classify solar energy systems for ad valorem tax purposes.

Referred to **Finance Committee.**

By Senators Barnes and Whichard:

S. B. 325, a bill to appropriate funds to the Department of Human Resources for fiscal years 1977-79, to be used for a communications system for the blind.

Referred to **Appropriations Committee.**

By Senator Allsbrook:

S. B. 326, a bill to provide for the election of members of the Roanoke Rapids Sanitary District Board.

Referred to **Local Government and Regional Affairs Committee.**

By Senators Whichard, Barnes, Hill, Wynne, Mathis, Scott, and Sebo:

S. B. 327, a bill to establish the Grassroots Arts Program within the Department of Cultural Resources and to appropriate funds for this Program.

Referred to **State Government Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 443, a bill to enact the North Carolina Soil Additives Act of 1977.

Referred to **Agricultural Committee.**

H. B. 529, a bill to extend the prohibition against the hunting or taking of bear in Tyrrell County.

Referred to **Wildlife Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 144, Committee Substitute for S. B. 144, a bill to amend Article 25A of Chapter 58 of the General Statutes to require the reinsurance facility to provide additional ceding privileges for motor vehicle liability insurance.

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On motion of Senator Totherow, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Friday, April 1.

S. B. 202, a bill to amend G. S. 55A-15(a)(8) of the General Statutes and to add new G. S. 55A-17.1, G. S. 55A-17.2, and G. S. 55A-17.3 concerning indemnification of officers and directors of nonprofit corporations.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 274, a bill to amend G. S. 143-437 relating to the functions of the Pesticide Board.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 284, a bill to amend G. S. 130-143 to require all contracts for work, supplies and materials let by sanitary districts, to comply with the provisions of Article 8, Chapter 143 of the General Statutes.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 289, a bill to clarify the provisions of G. S. 20-140 and G. S. 20-138 relating to reckless driving.

On motion of Senator Allsbrook, the bill is recommited to the **Judiciary I Committee.**

H. B. 244, a bill amending Article 35 of Chapter 106 relating to public livestock markets, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 49, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 49.

The bill remains on the Calendar, upon third reading.

H. B. 300, a bill to repeal G. S. 130-58.1 concerning neglected illegitimate children.

The bill passes its second and third readings and is ordered enrolled.

H. B. 324, Senate Committee Substitute for **H. B. 324**, a bill permitting municipal or county regulation of the solicitation of charitable funds in Forsyth County.

On motion of Senator Soles, the Senate Committee Substitute is adopted, and on his further motion is placed on the Calendar for Friday, April 1.

H. B. 331, a bill to amend the Uniform Boll Weevil Eradication Act, Article 4F of Chapter 106.

On motion of Senator White the bill is re-referred to the **Finance Committee.**

March 30, 1977

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. J. R. 246, a joint resolution honoring the life, service and memory of Lindsay Carter Warren, former member of the North Carolina General Assembly.

H. B. 284, Committee Substitute for H. B. 284, an act to validate acts of assistant and deputy registers of deeds.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:00 P.M.

FIFTY-SEVENTH DAY

SENATE CHAMBER,
Thursday, March 31, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Almighty God, teach us how to wait upon Thee so that we may renew our strength; made able to mount up with wings as eagles; to run and not be weary; and to walk and not faint. Help us to realize that waiting upon Thee is not idleness, for if in waiting, we discover Thy will, it can become our most significant and productive activity. Lead us this day through all the puzzling circumstances of life and help us in all things to be found faithful. And to Thee shall be the praise. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Lake and Harris for today. Senator Whichard is granted a leave of absence for today and Friday, April 1, to attend a quarterly meeting of the Southern Growth Policies Board; and for Monday and Tuesday, April 4 and 5, to attend a conference at the United States Department of State upon invitation of the Honorable Cyrus Vance, Secretary of the United States Department of State.

The President extends courtesies of the gallery to the Honorable Arthur Kirkman, former Senator from Guilford County, and to the Honorable J. H. Bailey, former Senator from Yancey County; and courtesies of the floor to the Honorable Zeb Alley, former Senator from Buncombe County.

S. B. 307, a bill to amend G. S. 135-4(k), relating to the repayment of retirement contributions of teachers and State employees.

On motion of Senator Hardison, the rules are suspended, and the bill is taken from the **Appropriations Committee** and re-referred to the **State Government Committee.**

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Stallings for the **Education Committee:**

H. B. 322, a bill to amend Chapter 101, Private Laws of 1935 to create the Kannapolis Board of Education and to provide for the election of its members, with a favorable report.

By Senator Rauch for the **Finance Committee:**

S. J. R. 259, a joint resolution recognizing Gastonia as basketball center of North Carolina, with a favorable report, as amended.

On motion of Senator Rauch, the rules are suspended and the joint resolution is placed before the Senate for immediate consideration, and on his further motion Committee Amendments No. 1 and No. 2 are adopted.

On motion of Senator Rauch, the joint resolution, as amended, is placed on the Calendar for tomorrow, April 1.

By Senator Allsbrook for the **Judiciary I Committee:**

H. B. 54, a blil to amend Chapter 115A, Section 4 of the North Carolina General Statutes to provide regulations for in-plant training, with a favorable report, as amended.

H. B. 314, a bill to amend G. S. 14-111.2 to include Ashe County among those named counties in which it shall be a misdemeanor to obtain ambulance services without intending to pay therefor, with a favorable report.

By Senator Britt for the **Judiciary II Committee:**

S. B. 39, a bill to rewrite the Criminal Abandonment and Nonsupport and Bastardy Statutes to eliminate sex discrimination in the duty of support, to allow garnishment proceedings as part of the criminal prosecution, and to consolidate repetitive statutes and remove surplusage, with an unfavorable report.

S. B. 235, a bill to amend G. S. 20-37.6 relative to handicapped drivers, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Britt, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

H. B. 86, Committee Substitute for **H. B. 86,** a bill to rewrite the Criminal Abandonment and Nonsupport and Bastardy Statutes to eliminate sex discrimination in the duty of support, and to consolidate repetitive statutes and remove surplusage, with an unfavorable report.

H. B. 381, a bill to amend G. S. 25-9-403(7), concerning the filing of a financing statement covering timber to be cut, with a favorable report.

By Senator Childers for the **Manufacturing, Labor and Commerce Committee:**

H. B. 303, a bill to repeal the Tile Contractors' Act, with a favorable report.

H. B. 352, a bill to amend G. S. 95-17 to exempt retail and wholesale florists and their employees from the provisions of the Maximum Hour Law during the week prior to and including Valentine's Day, with a favorable report.

By Senator Henley for the **Rules and Operation of the Senate Committee:**

S. J. R. 271, a joint resolution honoring the service and memory of General William Lee Davidson, with a favorable report.

H. J. R. 400, a joint resolution honoring the 1976 Masters Golf Tournament Champion, North Carolinian Raymond Floyd, with a favorable report.

H. J. R. 401, a joint resolution recognizing and congratulating Fayetteville State University for the many contributions it has made in the past one hundred years, with a favorable report.

By Senator Palmer for the **Veterans and Military Affairs Committee:**

S. B. 294, a bill to amend Chapter 127A, Article 15 relating to the North Carolina National Guard Tuition Assistance Act of 1975, with a favorable report.

S. B. 296, a bill to amend G. S. 105-147 of the General Statutes relating to contributions to the Civil Air Patrol, with a favorable report, as amended.

On motion of Senator Palmer, the rules are suspended and the bill is placed before the Senate for immediate consideration and on his further motion Committee Amendment No. 1 is adopted.

On motion of Senator Palmer, the bill, as amended, is re-referred to the **Finance Committee.**

S. B. 309, a bill to amend Chapter 127A, Article 3 of the General Statutes relating to National Guard citations, with a favorable report.

S. B. 322, a bill to amend the subsections of Chapter 127A of the General Statutes relating to the award of State military medals and decorations, with a favorable report.

By Senator Combs for the **Wildlife Committee:**

S. B. 257, a bill to amend Chapter 1436 of the 1957 Session Laws relating to the Currituck County Game Commission, with a favorable report.

S. B. 264, a bill to permit participation in certain field trials for beagles without a hunting license, with a favorable report.

S. B. 268, a bill to require that lifesaving devices be carried on all vessels, with a favorable report.

S. B. 269, a bill to require display of validation decals on both sides of the bow of motorboats, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Hill:

S. B. 328, a bill amending Chapter 956, Session Laws of 1957, relating to membership of the Power Board for the Town of Murphy.

Referred to **Local Government and Regional Affairs Committee.**

By Senators Lawing, McDuffie, Mathis, and Alexander:

S. J. R. 329, a joint resolution congratulating and commending the basketball team of the University of North Carolina at Charlotte.

On motion of Senator Lawing, the rules are suspended and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

By Senators Lake and Whichard:

S. B. 330, a bill to amend Chapter 135 of the General Statutes to allow district court judges retirement credit for time served as judges of inferior courts.

Referred to **Courts and Judicial Districts Committee.**

By Senator Lake:

S. J. R. 331, a joint resolution congratulating and commending the Wake Forest-Rolesville High School boys' and girls basketball teams for their excellent performances during the 1976-77 basketball season.

Referred to **Rules and Operation of the Senate Committee.**

By Senator Webster:

S. B. 332, a bill to require insulation in new structures heated or cooled by electricity or natural gas.

Referred to **Public Utilities and Energy Committee.**

By Senators Whichard, Totherow, Renfrow, Popkin, Raynor, Royall, Walker, Garrison, Barnes, Vickery, Jordan, Sebo, Gray, Marvin, Mathis, Alexander, Kincaid, Lake, Stallings, Winters, Wynne, Harris, Crawford, Sharpe, Soles, McDuffie, Britt, Harrington, Speed, Scott, Allsbrook, Combs, Childers, Palmer, Ballenger, Lawing, Smith of Guilford, Daniels, Hardison, Webster, Rauch, Hill, Swain, Smith of New Hanover, Alford, White, Henley, and Davis:

S. J. R. 333, a joint resolution honoring the basketball team of the University of North Carolina at Chapel Hill for its excellent performance in the NCAA finals.

On motion of Senator Henley, the rules are suspended and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

By Senators Whichard, Lake, Garrison, Hardison, Rauch, Winters, Stallings, Renfrow, Hill, Raynor, Royall, Totherow, Popkin, Barnes, Walker, Vickery, Jordan, Sebo, Gray, Harris, Combs, Childers, Swain, Ballenger, Smith of New Hanover, Daniels, Davis, Mathis, Kincaid, Wynne, Crawford, Sharpe, Soles, Britt, Alford, Scott, Henley, Marvin, Webster, Marion, Palmer, McDuffie, Harrington, Lawing, White, and Alexander:

S. B. 334, a bill to establish a system for the periodic review and for the termination, continuation, or re-establishment of certain licensing and regulatory agencies.

Referred to **State Government Committee.**

By Senators Gray, Marvin, Garrison, Walker, Harris, Sebo, Sharpe, Whichard, Mathis, Stallings, Soles, Henley, Hardison, and Smith of Guilford:

S. B. 335, a bill to expand the Youth Advisory Council and to provide for the terms of members of the Council.

Referred to **State Government Committee.**

By Senator Wynne:

S. B. 336, a bill to provide that any person who is 17 years old may donate blood without consent of parent or guardian.

Referred to **Human Resources Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 35, Committee Substitute for **H. B. 35,** a bill to authorize absentee ballots in Buncombe County in elections conducted by the County Board of Elections.

On motion of Senator Crawford, the rules are suspended and the Committee Substitute bill is placed before the Senate for immediate consideration.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 377, a bill to amend G. S. 15A-1023(b) to provide for the granting of a continuance to defendent upon rejection of a plea by trial judge.

Referred to **Judiciary II Committee.**

H. B. 417, a bill to provide for uniform and joint rates among carriers of the same class.

Referred to **Public Utilities and Energy Committee.**

H. B. 420, a bill to amend G. S. 90-29(c)(4) to allow the practice of dentistry by dental students at off-campus locations approved by the North Carolina State Board of Dental Examiners.

Referred to **Higher Education Committee.**

H. B. 457, a bill to amend the compensation provisions for sanitary district board members.

Referred to **Human Resources Committee.**

H. B. 474, a bill to modify the method of selection of members of the Board of Education of Whiteville City School Administrative Unit.

Referred to **Local Government and Regional Affairs Committee.**

H. J. R. 485, a joint resolution urging the United States Congress to provide reimbursement for services rendered by duly certified and supervised physician extenders.

Referred to **Human Resources Committee.**

H. B. 495, a bill to extend the Mental Health Study Commission.

Referred to **Human Resources Committee.**

H. B. 516, a bill to amend G. S. 105-152 to include the exemptions for the blind and persons 65 and older in order to determine who shall file an income tax return.

Referred to **Finance Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 31, a bill prohibiting the receiving of compensation by anyone aiding or assisting a person in obtaining employment with the State of North Carolina.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 148, a bill to revise and consolidate the Charter of the City of Lenoir and to repeal prior local acts, upon second reading.

On motion of Senator Soles the bill is postponed indefinitely.

S. B. 235, Committee Substitute for **S. B. 235,** a bill to amend G. S. 20-37.6 relative to handicapped drivers.

On motion of Senator Britt, the Committee Substitute bill is adopted, and on his further motion the bill is placed on the Calendar for Tuesday, April 5.

S. B. 273, a bill providing for the transfer of the control, management, and operation of the Charlotte Park and Recreation Commission to the City of Charlotte.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 278, a bill to amend Chapter 868 of the 1975 Session Laws to provide for filling a vacancy in the Henderson County Office of Register of Deeds.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 290, a bill to provide that the Mayor and members of the Board of Commissioners of the Town of Red Oak shall be elected for terms of four years.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 48, Committee Substitute for **H. B. 48,** a bill to amend G. S. 163-74 relating to party affiliation and change of party affiliation.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. J. R. 56, a joint resolution honoring High Point Andrews High School, winner of the North Carolina 4-A Football Championship.

The joint resolution passes its second and third readings and is ordered enrolled.

H. B. 157, Committee Substitute for **H. B. 157,** a bill to validate the application of rural fire protection district funds to rescue and ambulance services.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 244, a bill amending Article 35 of Chapter 106 relating to public livestock markets, upon third reading.

The bill passes its third reading by roll-call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Crawford, Daniels, Davis, Gray, Hardison, Harrington, Henley, Hill, Jordan, Kincaid, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Rauch, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed,

Stallings, Swain, Totherow, Vickery, Walker, Webster, White, Winters, and Wynne — 43.

The bill is ordered enrolled.

H. B. 374, a bill to amend the Henderson Firemen's Supplemental Retirement System to lower the retirement age to 55.

The bill passes its second and third readings and is ordered enrolled.

H. B. 386, Committee Substitute for **H. B. 386**, a bill authorizing the City of Charlotte and Cabarrus Memorial Hospital to sell their undivided interest in certain property of an out-of-state corporation.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 414, a bill to amend Chapter 18A of the General Statutes to authorize the sale of unfortified wines, in those municipalities and counties having ABC Stores.

On motion of Senator Winters, the bill is recommitted to the **Alcoholic Beverage Control Committee.**

H. B. 458, a bill to waive compliance with certain statutes in the construction of Wake County Medical Center parking deck.

The bill passes its second and third readings and is ordered enrolled.

H. B. 469, a bill to authorize the City of Salisbury to rent or lease certain property for a period of more than 10 years without following the procedures required for sale of real property.

The bill passes its second and third readings and is ordered enrolled.

H. B. 481, a bill to authorize the Board of County Commissioners of Buncombe County to appropriate for the use of Eliada Home for Children in Buncombe County a sum not in excess of twenty thousand dollars per year.

The bill passes its second and third readings and is ordered enrolled.

H. B. 491, a bill to place Ashe, Beaufort and Hyde Counties under G. S. 44-51.8 relating to attachment or garnishment for ambulance service in certain counties.

The bill passes its second and third readings and is ordered enrolled.

H. B. 498, a bill authorizing the members of the New Bern City School District Board of Education to fix their own compensation not to exceed one hundred dollars per month for the chairman and fifty dollars per month for each other member.

The bill passes its second and third readings and is ordered enrolled.

H. B. 518, a bill to allow Forsyth County Hospital Authority, Inc., to be self-insured or to purchase insurance.

Senator Wynne offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

March 31, 1977

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 191, an act to amend G. S. 58-291 by increasing the maximum amount of death benefits payable by fraternal societies exempt from Article 28, Chapter 58.

H. B. 81, Senate Committee Substitute for **H. B. 81,** an act to amend G. S. 20-179 to expand the category of judges who may receive limited driving privilege applications.

H. B. 102, an act to give security guards permission to use mace.

H. B. 300, an act to repeal G. S. 130-58.1 concerning neglected illegitimate children.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 10:00 A.M.

FIFTY-EIGHTH DAY

SENATE CHAMBER,
Friday, April 1, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Reverend James C. Long, Associate Minister, First Baptist Church, Raleigh.

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senator Harrington, to attend a meeting of the North Carolina Productive Council, and to Senators Gray, Rauch, and Marvin for today and to Senators Sharpe, Davis, Sebo, and Wynne for Monday and Tuesday, April 4 and 5. A leave of absence granted previously to Senator Whichard is noted.

Senator Henley offers a motion that Senate Rule 41 be suspended to the end that bills prepared for departments, agencies, and institutions of the State and local bills may be introduced through Monday, April 11, 1977, which motion prevails.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Childers for the **Manufacturing, Labor and Commerce Committee:**

S. B. 83, a bill to amend G. S. 95-87 by raising the State minimum wage to two dollars and thirty cents per hour, with a favorable report, as amended.

By Senator Harris for the **Human Resources Committee:**

H. B. 170, Committee Substitute for H. B. 170, a bill to amend G. S. 88-1, relating to cosmetologists so as to make the provisions of said act apply to Cumberland, Forsyth, Stanly and Union Counties, with a favorable report.

H. B. 315, a bill to require the immunization of children against rubella, with a favorable report, as amended.

H. B. 459, a bill to authorize the Secretary of Human Resources to designate a subordinate officer or employee of the Department as the State Registrar of Vital Statistics, with a favorable report, as amended.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Daniels:

S. B. 337, a bill to appropriate funds to assist in the restoration of the Newbold-White house in Perquimans County.
Referred to **Appropriations Committee.**

By Senators Renfrow and Wynne:

S. B. 338, a bill to amend Article 13, Article 13A and Article 13B of Chapter 58 relating to fire and casualty insurance rate regulation and Article 25 of Chapter 58 relating to automobile liability rates regulation to provide for interim rates and mandatory periodic filings by the rating bureaus.
Referred to **Insurance Committee.**

By Senator Stallings:

S. B. 339, a bill to repeal the Coastal Area Management Act of 1974.
Referred to **Natural and Economic Resources Committee.**

By Senators Barnes, Stallings, Hardison, White, Garrison, Whichard, Crawford, McDuffie, Britt, Henley, Harris, Raynor, Daniels, Palmer, Smith of New Hanover, Hill, Swain, Smith of Guilford, Lake, Mathis, Webster, Lawing, Childers, Marvin, Speed, Wynne, Popkin, and Walker:

S. B. 340, a bill to appropriate funds to North Carolina State University for development and research on a solar thermal conversion unit which will produce a minimum of 1,000 KWH of electricity per month, and be reliable and relatively free of maintenance.

Referred to **Appropriations Committee.**

By Senator Rauch:

S. B. 341, a bill to define the practice of chiropractic, and guarantee freedom of choice to patients, and to specify the areas of expertise of chiropractors.

Referred to **Judiciary II Committee.**

By Senators Crawford and Swain:

S. B. 342, a bill relating to the tax records of Buncombe County and the City of Asheville.

Referred to **Local Government and Regional Affairs Committee.**

By Senators Crawford and Swain:

S. B. 343, a bill to amend Chapter 802 of the 1971 Session Laws to revise the laws relating to the Buncombe County Board of Tax Supervision.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Harrington:

S. B. 344, a bill to transfer the State Employee Meritorious Service Award System for Employee Suggestions from the State Personnel System to the Secretary of Administration.

Referred to **State Government Committee.**

By Senators Mathis, Lawing, McDuffie, Gray, Alexander, Marvin, Sebo, Winters, Wynne, Walker, Smith of Guilford, Kincaid, Garrison, and Childers:

S. B. 345, a bill to provide for a more equitable reimbursement for the erroneous imprisonment of prisoners pardoned for innocence.

Referred to **Judiciary I Committee.**

By Senator Combs:

S. B. 346, a bill to increase the fee for replacing lost certificates of motorboat number.

Referred to **Wildlife Committee.**

By Senator Combs (by request):

S. B. 347, a bill to amend G. S. 75A-15 with respect to special boating and water safety regulations applicable to local waters.

Referred to **Wildlife Committee.**

By Senator Combs:

S. B. 348, a bill to amend Chapter 106 of the General Statutes concerning agriculture to require the date labeling of perishable food products.

Referred to **Agriculture Committee.**

April 1, 1977

By Senator Sebo:

S. B. 349, a bill to amend G. S. 1-223 relating to judgements against married women in civil actions by extending it to apply to any married person.

Referred to **Judiciary II Committee.**

By Senator Sebo:

S. B. 350, a bill to amend G. S. 6-21 relating to cost in civil actions.

Referred to **Judiciary II Committee.**

By Senator Sebo:

S. B. 351, a bill to amend G. S. 7A-104 relating to certain disqualifications of the clerk of court by changing the term "wife" to "spouse."

Referred to **Judiciary II Committee.**

By Senator Sebo:

S. B. 352, a bill to amend the law relating to testimony of a married person whose spouse brings an action for criminal conversation.

Referred to **Judiciary II Committee.**

By Senator Sebo:

S. B. 353, a bill to amend Chapter 14 of the General Statutes to remove the presumption of coercion based solely on the marriage relationship.

Referred to **Judiciary II Committee.**

By Senator Sebo:

S. B. 354, a bill to rewrite G. S. 14-46 relating to concealing the birth of a child.

Referred to **Judiciary II Committee.**

By Senator Sebo:

S. B. 355, a bill to amend G. S. 14-320 relating to separating a child under six months from mother by changing the term "mother" to "parent legally entitled to custody of the child."

Referred to **Judiciary II Committee.**

By Senator Sebo:

S. B. 356, a bill to amend G. S. 20-187.2 by changing the term "widow" to "surviving spouse."

Referred to **Judiciary II Committee.**

By Senator Sebo:

S. B. 357, a bill to amend G. S. 23-18 by changing the term "wife" to "spouse."

Referred to **Judiciary II Committee.**

By Senator Sebo:

S. B. 358, a bill to require any person acknowledging paternity to do so during the child's lifetime, for purposes of intestate succession.
Referred to **Judiciary II Committee.**

By Senator Sebo:

S. B. 359, a bill to rewrite G. S. 29-21 and G. S. 29-22 to recognize inheritance rights of the father of an illegitimate intestate as provided for in G. S. 29-19.
Referred to **Judiciary II Committee.**

By Senator Sebo:

S. B. 360, a bill to amend the law relating to parents' right to dispose of custody and tuition of minor children by will.
Referred to **Judiciary II Committee.**

By Senator Sebo:

S. B. 361, a bill to amend G. S. 33-67 by changing the term "mother" to "other parent."
Referred to **Judiciary II Committee.**

By Senator Sebo:

S. B. 362, a bill to make miscellaneous changes in G. S. Chapter 51 relating to marriage.
Referred to **Judiciary II Committee.**

By Senator Sebo:

S. B. 363, a bill to remove sex discriminatory provisions from G. S. Chapter 94 relating to apprenticeship.
Referred to **Judiciary II Committee.**

By Senator Sebo:

S. B. 364, a bill to amend certain sections of G. S. Chapter 110 which relate to child labor regulations by removing sex discrimination provisions.
Referred to **Judiciary II Committee.**

By Senator Sebo:

S. B. 365, a bill to construe "juvenile" as any person who has not reached his eighteenth birthday in applying for the return of a runaway.
Referred to **Judiciary II Committee.**

By Senator Sebo:

S. B. 366, a bill to make 18 the minimum age for service as an officer in the State Defense Militia for females as well as males.
Referred to **Judiciary II Committee.**

By Senator Sebo:

S. B. 367, a bill to amend G. S. 128-15 and G. S. 128-15.1 relating to State employment preference for veterans and their wives or widows to make the law applicable to all spouses or surviving spouses.

Referred to **Judiciary II Committee.**

By Senator Sebo:

S. B. 368, a bill to amend G. S. 147-32 relating to compensation for widows of Governors to make the law applicable to all surviving spouses.

Referred to **Judiciary II Committee.**

By Senator Barnes:

S. B. 369, a bill to increase jurors' fees from eight dollars to twelve dollars per day.

Referred to **Courts and Judicial Districts Committee.**

By Senator Kincaid:

S. B. 370, a bill to authorize the implementation of a pilot project in Caldwell County to test the concept of using school buses for school related activities during and after the regularly organized school day.

Referred to **Education Committee.**

By Senators Jordan and Garrison:

S. B. 371, a bill authorizing appointment of a Board of Equalization and Review for Montgomery County.

Referred to **Local Government and Regional Affairs Committee.**

By Senators Jordan and Garrison:

S. B. 372, a bill to prevent the use of artificial light in areas inhabited by game in Scotland County.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Royall:

S. B. 373, a bill to amend G. S. 143B-182 and G. S. 143B-183 to modify the State Mental Health Council for the purpose of meeting requirements set by federal authorities as a condition to receiving federal aid.

Referred to **Human Resources Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 186, a bill to allow civic and charitable organizations to sponsor or operate the game of bingo in Pamlico County, for concurrence in the House amendment which is placed on the Calendar for Monday, April 4.

S. B. 210, a bill to amend Chapter 16, Session Laws of 1957 relating to the Gaston County Rural Police Force, for concurrence in the House amendment which is placed on the Calendar for Monday, April 4.

H. B. 318, Committee Substitute for H. B. 318, a bill to amend Chapter 929 of the 1975 Session Laws relating to the commitment of noncriminal juvenile offenders to juvenile institutions for delinquents.

Referred to **Judiciary I Committee.**

H. B. 345, a bill to repeal Chapter 697, Session Laws of 1969, relating to a joint airport for Cities of Lincolnton and Cherryville.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 465, a bill to amend Chapter 60, Session Laws of 1957, by changing the term of office for the Mayor and Commissioners for the Town of Webster.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 483, a bill relating to the distribution of the profits from the operation of the Dare County Alcoholic Beverage Control Board.

Referred to **Alcoholic Beverage Control Committee.**

H. B. 490, a bill providing for the nomination and election of the members of the Camden County Board of Education.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 493, a bill to permit the postponement of the collection of assessments for the elderly or disabled.

Referred to **Human Resources Committee.**

H. B. 530, a bill to amend Chapter 398 of the 1973 Session Laws relating to the Civil Service Test in Mecklenburg County.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 535, a bill to authorize municipalities to undertake programs for the care and assistance of older citizens.

Referred to **Human Resources Committee.**

H. B. 570, a bill to provide for the election of County Commissioners in Yadkin County.

Referred to **Election Laws Committee.**

H. B. 586, a bill to provide for the appointment of a special board of equalization and review by the Board of County Commissioners of Cumberland County.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 587, a bill to authorize Cumberland County to provide legal assistance to indigent persons in civil cases.

Referred to **Local Government and Regional Affairs Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 144, Committee Substitute for S. B. 144, a bill to amend Article 25A of Chapter 58 of the General Statutes to require the reinsurance facility to provide additional ceding privileges for motor vehicle liability insurance.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 257, a bill to amend Chapter 1436 of the 1957 Session Laws relating to the Currituck County Game Commission.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. J. R. 259, a joint resolution recognizing Gastonia as basketball center of North Carolina, as amended.

The joint resolution, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 264, a bill to permit participation in certain field trials for beagles without a hunting license.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 268, a bill to require that lifesaving devices be carried on all vessels.

On motion of Senator Allsbrook, consideration of the bill is postponed until Wednesday, April 6.

S. B. 269, a bill to require display of validation decals on both sides of the bow of motorboats.

On motion of Senator Combs, consideration of the bill is postponed until Wednesday, April 6.

S. J. R. 271, a joint resolution honoring the service and memory of General William Lee Davidson.

The joint resolution passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 294, a bill to amend Chapter 127A, Article 15 relating to the North Carolina National Guard Tuition Assistance Act of 1975.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 309, a bill to amend Chapter 127A, Article 3 of the General Statutes relating to National Guard citations.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 322, a bill to amend the subsections of Chapter 127A of the General Statutes relating to the award of State Military medals and decorations.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 54, a bill to amend Chapter 115A, Section 4 of the North Carolina General Statutes to provide regulations for in-plant training.

On motion of Senator Allsbrook, Committee Amendments No. 1 and No. 2 are adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendments.

H. B. 303, a bill to repeal the Tile Contractors' Act.

The bill passes its second and third readings and is ordered enrolled.

H. B. 314, a bill to amend G. S. 14-111.2 to include Ashe County among those named counties in which it shall be a misdemeanor to obtain ambulance services without intending to pay therefor.

The bill passes its second and third readings and is ordered enrolled.

H. B. 322, a bill to amend Chapter 101, Private Laws of 1935 to create the Kannapolis Board of Education and to provide for the election of its members.

The bill passes its second and third readings and is ordered enrolled.

H. B. 324, Senate Committee Substitute for **H. B. 324**, a bill permitting municipal or county regulation of the solicitation of charitable funds in Forsyth County.

The Senate Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives for consideration of the Senate Committee Substitute bill.

H. B. 352, a bill to amend G. S. 95-17 to exempt retail and wholesale florists and their employees from the provisions of the Maximum Hour Law during the week prior to and including Valentine's Day.

The bill passes its second and third readings and is ordered enrolled.

H. B. 381, a bill to amend G. S. 25-9-403(7), concerning the filing of a financing statement covering timber to be cut.

The bill passes its second reading.

On objection of Senator Vickery to its third reading the bill remains on the Calendar.

H. J. R. 400, a joint resolution honoring the 1976 Masters Golf Tournament Champion, North Carolinian Raymond Floyd.

The joint resolution passes its second and third readings and is ordered enrolled.

H. J. R. 401, a joint resolution recognizing and congratulating Fayetteville State University for the many contributions it has made in the past one hundred years.

The joint resolution passes its second and third readings and is ordered enrolled.

On motion of Senator Henley, the Senate adjourns to meet Monday at 8:00 P.M.

FIFTY-NINTH DAY

SENATE CHAMBER,
Monday, April 4, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. John M. Lewis, First Baptist Church, Raleigh, as follows:

"Our Father, we have read the promise of Your Holy Word that if any of us lack wisdom 'let him ask of God, Who giveth unto all men liberally.' Fill our hearts and minds with the wonder and mystery of this holy season, when the strange wisdom of the Cross broke upon us with new power on Easter morn.

"Amidst all the exacting routine of business so necessary in the affairs of State, turn the ears of Your Servants here away from all self-seeking lobbyists, advisors, and conflicts of interest, that they may be attuned to Your still small voice importing that wisdom of sacrificial service that will make their labors here pleasing in Your sight and beneficial for all our citizens. Unto Thy glory above, we ask it. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of Friday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Renfrow for today and tomorrow, April 5. Leaves of absence granted previously to Senators Whichard, Wynne, Sharpe, Davis, and Sebo are noted.

The President recognizes the following pages serving in the Senate this week: Teb Baugh, Gastonia; Marc Black, Winterville; Scott Bost, Concord; Dawn Bostic, Beaulaville; Jill Bostic, Beaulaville; Tim Britton, Ahoskie; Cathy Bunch, Salisbury; Carol Carter, Salisbury; Mary Louise Crisp, Greenville; Ken Hauser, High Point; Jan Hobbs, Charlotte; Doris James, Fayetteville; Noel LeGette, Lexington; Debra Peoples, Louisburg; Ginny Phillips, Lexington; Bobby Rook, Roanoke Rapids; Nancy Smith, Louisburg; Jim Storey, Raleigh; John Thaggard, Knightdale; and JoAnn Wright, Jarvisburg.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senators Daniels and Harrington:

S. B. 374, a bill to appropriate funds for the James Iredell House State Historic Site.
Referred to **Appropriations Committee.**

By Senators Daniels and Harrington:

S. B. 375, a bill to appropriate funds for restoration work at the Cupola and Barker houses in Edenton.
Referred to **Appropriations Committee.**

By Senator Britt:

S. B. 376, a bill to correct an error in Chapter 16 of the 1977 Session Laws concerning the Commissioners of the Town of Raynham.
Referred to **Local Government and Regional Affairs Committee.**

By Senators Jordan and Garrison:

S. B. 377, a bill to regulate possession and use of firearms on public highways in Scotland County.
Referred to **Judiciary II Committee.**

By Senator Harris:

S. B. 378, a bill to transfer the Governor's Advocacy Council for Children and Youth, and the Governor's Council on Employment of the Handicapped from the Department of Human Resources to the Department of Administration.
Referred to **State Government Committee.**

By Senators McDuffie, Davis and Vickery:

S. B. 379, a bill to extend to counties the power presently granted to cities to borrow money and issue general obligation bonds to pay capital cost for providing public transportation systems.
Referred to **Transportation Committee.**

By Senators Davis, McDuffie and Vickery:

S. B. 380, a bill to amend Article 2B of G. S. Chapter 136 by changing the term "mass transportation" to "public transportation" and by authorizing the administration of State programs relating to public transportation.
Referred to **Transportation Committee.**

By Senators Wynne, Winters and Lake:

S. B. 381, a bill relating to raffles and the game of bingo in Wake County.
Referred to **Local Government and Regional Affairs Committee.**

By Senators Henley and Totherow:

S. B. 382, a bill to proscribe the burglary of a facility in which controlled substances are sold, stored or dispensed, and to provide the penalty therefor.

Referred to **Judiciary I Committee.**

By Senators Henley and Raynor:

S. B. 383, a bill to appropriate funds for the restoration of the Belden-Horne house, Fayetteville.

Referred to **Appropriations Committee.**

By Senator Renfrow:

S. B. 384, a bill to amend G. S. 108-24(3) to include within the definition of "dependent child", for the purposes of eligibility for medical assistance only, medically needy minors meeting income eligibility standards established by the General Assembly and to appropriate funds for implementation.

Referred to **Human Resources Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 388, Committee Substitute for H. B. 388, a bill to reconstitute the Department of Commerce; to transfer the Division of Economic Development from the Department of Natural and Economic Resources to the Department of Commerce; to create an Economic Development Board, and a Labor Force Development Council within the Department of Commerce; and to transfer the Science and Technology Center, the Science and Technology Committee and the North Carolina National Park, Parkway and Forest Development Council from the Department of Natural and Economic Resources to the Department of Commerce and to make necessary conforming changes in the General Statutes of North Carolina.

Referred to **State Government Committee.**

H. B. 477, a bill to permit Currituck County to levy license taxes upon the operation of campgrounds and outdoor advertising businesses.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 484, a bill to make the provisions of G. S. 47-30(k), G. S. 47-32 and G. S. 47-32.2 applicable to Tyrrell County.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 494, a bill amending Chapter 224 of the Private Laws of 1927 with respect to the City of Winston-Salem and County of Forsyth.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 509, a bill to authorize certain precinct officials to assist voters in marking ballots under certain circumstances.

Referred to **Election Laws Committee.**

H. J. R. 544, a joint resolution congratulating and commending the Pantego High School Basketball Team for its performance and sportsmanship in winning the State 1-A Conference Basketball Championship.

Referred to **Rules and Operation of the Senate Committee.**

H. B. 577, a bill to provide that in Greene County pistol permits shall be issued by the sheriff, or his designated deputy and that a fee of five dollars shall be charged for each permit.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 597, a bill to implement metrication in the alcoholic beverage control statutes.

Referred to **Alcoholic Beverage Control Committee.**

H. J. R. 600, a joint resolution honoring and giving recognition to the North Carolina Dance Theatre.

Referred to **Rules and Operation of the Senate Committee.**

H. B. 626, a bill to authorize the qualified voters of the Town of Banner Elk, Avery County, to determine whether Alcoholic Beverage Control stores shall be operated in the Town of Banner Elk.

Referred to **Alcoholic Beverage Control Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 83, a bill to amend G. S. 95-87 by raising the State minimum wage to two dollars and thirty cents per hour.

Senator Childers moves the adoption of Committee Amendment No. 1.

On motion of Senator Allsbrook, consideration of the bill and pending Amendment No. 1 is postponed until Wednesday, April 6.

S. B. 186, a bill to allow civic and charitable organizations to sponsor or operate the game of bingo in Pamlico County, for concurrence in the House amendment.

On motion of Senator Stallings, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 210, a bill to amend Chapter 16, Session Laws of 1957 relating to the Gaston County Rural Police Force, for concurrence in the House amendment.

On motion of Senator Marvin, the Senate concurs in the House amendment and the bill is ordered enrolled.

H. B. 170, Committee Substitute for **H. B. 170**, a bill to amend G. S. 88-1, relating to cosmetologists so as to make the provisions of said act apply to Cumberland, Forsyth, Stanly and Union Counties.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 315, a bill to require the immunization of children against rubella.

On motion of Senator Harris, the Committee amendment is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 381, a bill to amend G. S. 25-9-403(7), concerning the filing of a financing statement covering timber to be cut, upon third reading.

The bill passes its third reading and is ordered enrolled.

H. B. 459, a bill to authorize the Secretary of Human Resources to designate a subordinate officer or employee of the Department as the State Registrar of Vital Statistics.

On motion of Senator Harris, the Committee amendment is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 67, an act to make various technical amendments to the General Statutes.

S. J. R. 127, a joint resolution expressing disapproval of permitting PG, R or X-rated motion pictures to be previewed during the screening of a G-rated motion picture.

S. B. 170, an act to amend G. S. 18A-52 by adding a new subsection defining "restaurant".

S. J. R. 215, a joint resolution honoring the life and memory of Dr. Carl Dan Killian, Sr., retired Dean of the Western Carolina University School of Education and Psychology and former member of the General Assembly.

S. B. 221, an act to correct a spelling error in 1977 Session Laws Chapter 18 which repeals misdemeanor treatment of violation of ABC Board rules.

S. B. 231, an act to repeal certain local acts relating to the Chairman of the Board of Commissioners of Transylvania County, and local acts setting the compensation of officials and employees of the County and to provide that the Board of Commissioners shall be subject to Chapter 153A of the General Statutes of North Carolina.

S. B. 238, an act to amend the Charter of the Town of Havelock, North Carolina.

S. B. 240, an act to allow New Hanover and Pender County to undertake navigation projects and to assess the benefitted property for the cost thereof.

S. B. 243, an act to amend Chapter 713 of the Session Laws of 1965, As Amended, being the Charter of the City of Charlotte in Mecklenburg County relating to the terms of office of the members of the Auditorium-Coliseum-Civic Center Authority.

S. B. 244, an act to amend Chapter 713 of the 1965 Session Laws, As Amended, being the Charter of the City of Charlotte, to change the terms of the members of the Charlotte Parks and Recreation Commission from five to three years.

S. B. 251, an act to amend Chapter 416 of the 1973 Session Laws to eliminate the general term "capital projects", and to specify those projects which shall be subject to review by the Charlotte-Mecklenburg Planning Commission.

S. J. R. 252, a joint resolution honoring Louis Round Wilson.

S. J. R. 329, a joint resolution congratulating and commending the basketball team of the University of North Carolina at Charlotte.

S. J. R. 333, a joint resolution honoring the basketball team of the University of North Carolina at Chapel Hill for its excellent performance in the NCAA finals.

H. B. 35, Committee Substitute for H. B. 35, an act to authorize absentee ballots in Buncombe County in elections conducted by the County Board of Elections.

H. B. 48, Committee Substitute for H. B. 48, an act to amend G. S. 163-74 relating to party affiliation and change of party affiliation.

H. J. R. 56, a joint resolution honoring High Point Andrews High School, winner of the North Carolina 4-A Football Championship.

H. B. 157, Committee Substitute for H. B. 157, an act to validate the application of rural fire protection district funds to rescue and ambulance services.

H. B. 244, an act amending Article 35 of Chapter 106 relating to public livestock markets.

H. B. 303, an act to repeal the Tile Contractors' Act.

H. B. 314, an act to amend G. S. 14-111.2 to include Ashe County among those named counties in which it shall be a misdemeanor to obtain ambulance services without intending to pay therefor.

H. B. 322, an act to amend Chapter 101, Private Laws of 1935 to create the Kannapolis Board of Education and to provide for the election of its members.

H. B. 352, an act to amend G. S. 95-17 to exempt retail and wholesale florists and their employees from the provisions of the Maximum Hour Law during the week prior to and including Valentine's Day.

H. B. 374, an act to amend the Henderson Firemen's Supplemental Retirement System to lower the retirement age to 55.

H. B. 386, Committee Substitute for **H. B. 386**, an act authorizing the City of Charlotte and Cabarrus Memorial Hospital to sell their undivided interest in certain property of an out-of-state corporation.

H. J. R. 400, a joint resolution honoring the 1976 Masters Golf Tournament Champion, North Carolinian Raymond Floyd.

H. J. R. 401, a joint resolution recognizing and congratulating Fayetteville State University for the many contributions it has made in the past one hundred years.

H. B. 458, an act to waive compliance with certain statutes in the construction of Wake County Medical Center parking deck.

H. B. 469, an act to authorize the City of Salisbury to rent or lease certain property for a period of more than 10 years without following the procedures required for sale of real property.

H. B. 481, an act to authorize the Board of County Commissioners of Buncombe County to appropriate for the use of Eliada Home for Children in Buncombe County a sum not in excess of twenty thousand dollars per year.

H. B. 491, an act to place Ashe, Beaufort and Hyde Counties under G. S. 44-51.8 relating to attachment or garnishment for ambulance service in certain counties.

H. B. 498, an act authorizing the members of the New Bern City School District Board of Education to fix their own compensation not to exceed one hundred dollars per month for the chairman and fifty dollars per month for each other member.

H. B. 518, an act to allow Forsyth County Hospital Authority, Inc., and Wake County Hospital System, Inc., to be self-insured or to purchase insurance.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:00 P.M.

SIXTIETH DAY

SENATE CHAMBER,
Tuesday, April 5, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. William H. Puckett, Jr., Millbrook Baptist Church, Raleigh, as follows:

"We pause, Our Father, in acknowledgement of Your Lordship and the sense of stewardship to which that Lordship compels us. Help us to sense the value of our moments and the opportunities of our times. Undergird our discernment with Your wisdom, temper our judgement with Your justice and mercy, and refine our visions by Your will. Support us with Your love and enable us to be supportive of one another in all our human struggles and our quest for right. In Jesus' name. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

Leaves of absence granted previously to Senators Whichard, Wynne, Sharpe, Sebo, Davis, and Renfrow are noted.

The President appoints Senators Royall, Vickery, Walker, and Hardison as a delegation to attend the funeral of the Honorable Alexander H. Graham, former Lieutenant Governor of North Carolina.

S. B. 83, a bill to amend G. S. 95-87 by raising the State minimum wage to two dollars and thirty cents per hour.

On motion of Senator Childers the rules are suspended and the bill with pending Amendment No. 1 is taken from the Calendar for Wednesday, April 6, and recommitted to the **Manufacturing, Labor and Commerce Committee.**

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Britt for the **Judiciary II Committee:**

S. B. 152, a bill to provide a compensation schedule for trustees and fiduciaries when the creating instrument does not set out the compensation, and to make technical amendments to Chapter 32, with a favorable report, as amended.

S. B. 232, a bill to provide for the filing of a certificate of devise or descent, with a favorable report.

H. B. 413, a bill to exempt the offer and sale of limited partnership interests in partnerships organized for the sole purpose of owning and operating low and moderate income rental housing projects from the registration requirements of the North Carolina Securities Act, with a favorable report.

By Senator White for the **Agriculture Committee:**

H. B. 443, a bill to enact the North Carolina Soil Additives Act of 1977, with a favorable report.

On motion of Senator White, the bill is re-referred to the **Finance Committee.**

By Senator Soles for the **Local Government and Regional Affairs Committee:**

S. B. 286, a bill to provide a supplemental retirement fund for firemen in the City of Roanoke Rapids and to modify the application of G. S. 118-5, G. S. 118-6, and G. S. 118-7 to the City of Roanoke Rapids, with a favorable report.

By Senator Harrington for the **Transportation Committee:**

S. B. 258, a bill to require a funeral director's license to relocate graves, with a favorable report.

H. B. 373, a bill to amend Chapter 503 of the Session Laws of 1971 to provide for nine members on Dare County Airport Authority, with a favorable report.

By Senator Combs for the **Wildlife Committee:**

S. B. 292, a bill to regulate aquatic ski jumps and other facilities used by water skiers, with a favorable report, as amended.

H. B. 279, a bill to amend Chapter 269 of the 1975 Session Laws to prevent the use of artificial lights in areas inhabited by game in Surry County, with a favorable report.

H. B. 280, a bill to prohibit hunting with firearms from the right-of-way of highways in Surry County, with a favorable report.

H. B. 529, a bill to extend the prohibition against the hunting or taking of bear in Tyrrell County, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senators Davis, Vickery, and McDuffie:

S. B. 385, a bill to authorize municipalities to create Public Transportation Authorities.

Referred to **Local Government and Regional Affairs Committee.**

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By Senator Scott:

S. B. 386, a bill to appropriate funds to the Department of Human Resources for Special Olympics.
Referred to **Appropriations Committee.**

By Senator Vickery (by request):

S. B. 387, a bill to amend the Constitution of North Carolina to require insurers to belong to reinsurance facilities if they write coverages in or out of the State.
Referred to **Insurance Committee.**

By Senator Vickery:

S. B. 388, a bill to change the primary to the first Tuesday in April.
Referred to **Election Laws Committee.**

By Senator Vickery (by request):

S. B. 389, a bill to amend the Constitution of North Carolina to permit the General Assembly to provide for conditions under which motor vehicle insurance agency contracts may be terminated or commissions reduced.
Referred to **Insurance Committee.**

By Senator Vickery:

S. B. 390, a bill to increase the civil jurisdictional amount for magistrates and district courts.
Referred to **Courts and Judicial Districts Committee.**

By Senator Vickery (by request):

S. B. 391, a bill relating to mandatory insurance risk sharing plans.
Referred to **Insurance Committee.**

By Senator Vickery:

S. B. 392, a bill to authorize registration of voters on election day.
Referred to **Election Laws Committee.**

By Senator Vickery (by request):

S. B. 393, a bill to amend Article 3A of Chapter 58 of the General Statutes to include unfair claims settlement practices within the definition of unfair or deceptive acts and practices and to authorize the Commissioner of Insurance to adopt rules and regulations relative to unfair claims settlement practices and deceptive acts and practices.
Referred to **Insurance Committee.**

By Senator Vickery (by request):

S. B. 394, a bill to require insurers to provide accident and health coverage to physically handicapped and mentally retarded persons.
Referred to **Insurance Committee.**

By Senator Vickery:

S. B. 395, a bill to appropriate funds to the Administrative Office of Courts for two additional deputy clerks and equipment in each of the offices of the Clerk of Superior Court in Chatham, Moore, Orange and Randolph Counties.

Referred to **Courts and Judicial Districts Committee.**

By Senator Vickery (by request):

S. B. 396, a bill to amend Article 13 of Chapter 58 of the General Statutes to provide appropriate insurance premium discounts for adequate smoke detectors.

Referred to **Insurance Committee.**

By Senator Vickery (by request):

S. B. 397, a bill to provide for catastrophic health insurance benefits in policies of accident and health insurance.

Referred to **Insurance Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 402, a bill to provide full salary for two years for State Highway Patrolmen injured in the line of duty.

Referred to **Law Enforcement and Crime Control Committee.**

H. B. 478, Committee Substitute for **H. B. 478,** a bill to make technical amendments to the election laws.

Referred to **Election Laws Committee.**

H. J. R. 572, a joint resolution encouraging the Commissioner of Motor Vehicles and the Assistant Secretary of Transportation of Highway Safety to support affirmatvie attitudes regarding the upgrading of safety helmets for motorcycle riders.

Referred to **Judiciary II Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 235, Committee Substitute for **S. B. 235,** a bill to amend G. S. 20-37.5 relative to the definition of handicapped and to amend G. S. 20-37.6 relative to parking privileges for the handicapped.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 54, an act to amend Chapter 115A, Section 4 of the North Carolina General Statutes to provide regulations for in-plant training.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:00 P.M.

SIXTY-FIRST DAY

SENATE CHAMBER,
Wednesday, April 6, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Reverend Rufus H. Stark II, Fairmont Methodist Church, Raleigh.

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Vickery for today.

The President extends the courtesies of the floor to the Honorable Earl Tate, former Senator from Caldwell County and to the Honorable Eugene Bost, former Speaker of the House of Representatives from Cabarrus County.

S. B. 372, a bill to prevent the use of artificial light in areas inhabited by game in Scotland County.

On motion of Senator Soles the rules are suspended and the bill is taken from the **Local Government and Regional Affairs Committee** and re-referred to the **Wildlife Committee.**

H. B. 493, a bill to permit the postponement of the collection of assessments for the elderly or disabled.

On motion of Senator Harris the rules are suspended and the bill is taken from the **Human Resources Committee** and re-referred to the **Local Government and Regional Affairs Committee.**

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Totherow for the **Insurance Committee:**

S. B. 223, a bill to amend the General Statutes to provide that for purposes of assessment under Article 17B of Chapter 58 premiums otherwise reportable by servicing insurers under the Fair and Beach Plans shall be deemed to be the premiums of the insurers participating in those plans, with a favorable report.

H. B. 221, a bill to amend Chapter 58 of the General Statutes to remove the limitation on the amounts of coverage of certain types of group insurance, with a favorable report.

H. B. 273, a bill to amend Chapter 58 so as to exempt warranties offered by foreign car distributors from being contracts of insurance, with a favorable report, as amended.

By Senator Winters for the **Alcoholic Beverage Control Committee:**

H. B. 414, a bill to amend Chapter 18A of the General Statutes to authorize the sale of unfortified wines, in those municipalities and counties having ABC Stores, with a favorable report, as amended.

H. B. 597, a bill to implement metrification in the alcoholic beverage control statutes, with a favorable report.

H. B. 626, a bill to authorize the qualified voters of the Town of Banner Elk, Avery County, to determine whether alcoholic beverage control stores shall be operated in the Town of Banner Elk, with a favorable report.

By Senator Soles for the **Local Government and Regional Affairs Committee:**

S. B. 323, a bill renaming Cedar Cliff, located in Haywood County, as Ferguson Mountain, with a favorable report.

S. B. 326, a bill to provide for the election of members of the Roanoke Rapids Sanitary District Board, with a favorable report.

S. B. 328, a bill amending Chapter 956, Session Laws of 1957, relating to membership of the Power Board for the Town of Murphy, with a favorable report.

S. B. 342, a bill relating to the tax records of Buncombe County and the City of Asheville, with a favorable report.

S. B. 343, a bill to amend Chapter 802 of the 1971 Session Laws to revise the laws relating to the Buncombe County Board of Tax Supervision, with a favorable report, as amended.

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S. B. 371, a bill authorizing appointment of a Board of Equalization and Review for Montgomery County, with a favorable report.

H. B. 453, a bill to repeal Chapter 125 of the 1870 Public Laws regulating the Scotch Fair, with a favorable report.

H. B. 454, a bill to repeal Chapter 247 of the 1943 Session Laws relating to the Richmond County Airport Commission, with a favorable report.

H. B. 465, a bill to amend Chapter 60, Session Laws of 1957, by changing the term of office for the Mayor and Commissioners for the Town of Webster, with a favorable report.

H. B. 474, a bill to modify the method of selection of members of the Board of Education of Whiteville City School Administrative Unit, with a favorable report.

H. B. 490, a bill providing for the nomination and election of the members of the Camden County Board of Education, with a favorable report.

H. B. 530, a bill to amend Chapter 398 of the 1973 Session Laws relating to the Civil Service Test in Mecklenburg County, with a favorable report.

H. B. 586, a bill to provide for the appointment of a special board of equalization and review by the Board of County Commissioners of Cumberland County, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Popkin:

S. B. 398, a bill to further regulate the activities of savings and loan associations.

Referred to **Banking Commitee.**

By Senator Popkin:

S. B. 399, a bill to standardize size of maps presented for recordation in Onslow County.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Popkin:

S. B. 400, a bill to amend G. S. 7A-69 to provide an investigatorial assistant to the district attorney in the 3rd and 4th Judicial Districts.

Referred to **Courts and Judicial Districts Committee.**

By Senator Soles:

S. B. 401, a bill to revise the Charter of the Town of Bolton in Columbus County.

Referred to **Local Government and Regional Affairs Committee.**

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By Senator Harris:

S. B. 402, a bill to amend Article 5A of Chapter 122 of the General Statutes to provide advance notice of hearings and rehearings to the petitioner in involuntary commitments.
Referred to **Judiciary II Committee.**

By Senator Harris:

S. B. 403, a bill to extend the Mental Health Study Commission.
Referred to **Human Resources Committee.**

By Senators Palmer and Hill:

S. B. 404, a bill to appropriate funds to the Flat Rock Playhouse and Vagabond School of the Drama, Inc.
Referred to **Appropriations Committee.**

By Senators Alford and Speed:

S. B. 405, a bill to restrict the trapping of animals in Nash County.
Referred to **Wildlife Committee.**

By Senators White and Palmer:

S. B. 406, a bill to amend G. S. 66-58, which prohibits sale of merchandise by governmental units, so as to exempt farmers' markets operated by the Department of Agriculture from the provisions of said act.
Referred to **Agriculture Committee.**

By Senator Stallings:

S. B. 407, a bill to appropriate funds for the maintenance of the site surrounding the oldest and largest American holly tree in the world.
Referred to **Appropriations Committee.**

By Senators McDuffie and Lawing:

S. B. 408, a bill to require insurance compaines to furnish to fire officials information relating to investigations of property fire losses.
Referred to **Insurance Committee.**

By Senators Daniels, Harrington, Allsbrook, and White:

S. B. 409, a bill to amend the Historic Albemarle Tour Highway Act.
Referred to **Transportation Committee.**

By Senator Childers:

S. B. 410, a bill to amend the Workmen's Compensation Act with respect to benefits for permanent and total disability.
Referred to **Manufacturing, Labor and Commerce Commitee.**

By Senator Childers:

S. B. 411, a bill to amend the Workmen's Compensation Act regarding compensation for disfigurement and loss of important organs or parts of the body.

Referred to **Manufacturing, Labor and Commerce Committee.**

By Senator Childers:

S. B. 412, a bill to amend the Workmen's Compensation Act regarding medical privilege.

Referred to **Judiciary II Committee:**

By Senator Childers:

S. B. 413, a bill to amend the Workmen's Compensation Act regarding notice of accidents to the employer.

Referred to **Manufacturing, Labor and Commerce Committee.**

By Senator Childers:

S. B. 414, a bill to amend G. S. 97-2(15) of the Workmen's Compensation Act concerning the definition of widower.

Referred to **Judiciary II Committee:**

By Senator Childers:

S. B. 415, a bill to amend G. S. 97-38 of the Workmen's Compensation Act concerning proximate cause.

Referred to **Judiciary II Committee:**

By Senator Childers:

S. B. 416, a bill to amend G. S. 97-85 of the Workmen's Compensation Act concerning the review of awards of the Industrial Commission.

Referred to **Manufacturing, Labor and Commerce Committee.**

By Senator Childers:

S. B. 417, a bill to allow workmen's compensation payments in certain cases pending appeal.

Referred to **Manufacturing, Labor and Commerce Committee.**

By Senator Childers:

S. B. 418, a bill to amend G. S. 84-4.1 concerning the practice of out-of-state attorneys before the Industrial Commission.

Referred to **Judiciary II Committee:**

By Senator Childers:

S. B. 419, a bill to amend G. S. 97-85 of the Workmen's Compensation Act concerning review of award.

Referred to **Manufacturing, Labor and Commerce Committee.**

By Senator Childers:

S. B. 420, a bill to amend G. S. 97-80 of the Workmen's Compensation Act concerning the taxing of costs.

Referred to **Manufacturing, Labor and Commerce Committee.**

By Senator Childers:

S. B. 421, a bill to amend G. S. 97-40.1 of the Workmen's Compensation Act concerning the Second Injury Fund.

Referred to **Manufacturing, Labor and Commerce Committee.**

By Senator Childers:

S. B. 422, a bill to amend G. S. 97-83 of the Workmen's Compensation Act concerning Industrial Commission hearings.

Referred to **Manufacturing, Labor and Commerce Committee.**

By Senator Winters:

S. B. 423, a bill to allow State employees to authorize salary deductions for the State Employees Combined Campaign.

Referred to **State Government Committee.**

By Senators Hardison, Kincaid, Combs, Mathis, Raynor, Popkin, Lawing, Webster, Scott, and Alexander:

S. B. 424, a bill to redefine the practice of optometry consistent with modern advances in science and optometry.

Referred to **Judiciary II Committee:**

By Senator Hardison:

S. B. 425, a bill to rewrite portions of Chapter 122 of the General Statutes of North Carolina dealing with area mental health programs and to repeal Articles 2A, 2C, and 2E of G. S. Chapter 122 which deal with current local mental health and area mental health programs.

Referred to **Human Resources Committee.**

By Senator Britt:

S. B. 426, a bill to amend G. S. 7A-133 to authorize two additional magistrates for Hoke County.

Referred to **Courts and Judicial Districts Committee.**

By Senator Britt:

S. B. 427, a bill to amend Chapter 31 of the 1977 Session Laws to add Robeson County to the Wound Reporting Law.

Referred to **Local Government and Regional Affairs Committee.**

By Senators Garrison, Stallings, and Mathis:

S. B. 428, a bill to appropriate general funds to the Board of Governors of the University of North Carolina System for the purposes of improving

the capacity of public and private institutions of higher education in North Carolina to prepare professional personnel to provide educational services to children with special needs.

Referred to **Appropriations Committee.**

By Senator Daniels:

S. B. 429, a bill to create a Statewide Public/Educational Television Study Commission.

Referred to **Higher Education Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 21, Committee Substitute for **H. B. 21,** a bill to amend G. S. 105-277.1(a)(2) to increase annual income allowable under the Homestead Tax Exemption.

Referred to **Finance Committee.**

H. J. R. 122, Committee Substitute for **H. J. R. 122,** a joint resolution to commend the public response to the energy crisis, to emphasize the continuing need for conserving energy and to urge the President to declare a national emergency and to develop a long-range national energy policy.

Referred to **Rules and Operation of the Senate Committee.**

H. B. 242, Committee Substitute for **H. B. 242,** a bill to create the North Carolina Bee and Honey Act of 1977.

Referred to **Agriculture Committee.**

H. B. 348, Committee Substitute for **H. B. 348,** a bill to prohibit forged signatures on petitions for elections or referenda.

Referred to **Elections Laws Committee.**

H. B. 398, a bill to amend the General Statutes to provide that for purposes of assessment under Article 17B of Chapter 58 premiums received by servicing insurers under the Fair and Beach Plans shall be deemed to be the premiums of the insurers participating in those plans.

Referred to **Insurance Committee.**

H. B. 431, a bill to authorize counties and cities to regulate the possession of dangerous animals.

Referred to **Wildlife Committee.**

H. B. 514, a bill to amend the child abuse and neglect laws to provide for the time limits for investigation, mandatory notification of reporter after investigation, professional reporting responsibility of staff of day care centers, court review of decisions to return children to parents, and for a Statewide protective services plan developed by the Department of Human Resources.

Referred to **Human Resources Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

(Senator Henley presides over a portion of today's Session.)

S. B. 152, a bill to provide a compensation schedule for trustees and fiduciaries when the creating instrument does not set out the compensation, and to make technical amendments to Chapter 32.

On motion of Senator Britt, the Committee amendment is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 232, a bill to provide for the filing of a certificate of devise or descent.

On motion of Senator Kincaid, consideration of the bill is postponed until Tuesday, April 12.

S. B. 258, a bill to require a funeral director's license to relocate graves.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

Without objection, Senator Wynne is excused from voting for the following reason: "conflict of interest."

Without objection, Senator Harris is excused from voting for the following reason: "I am a Funeral Director and bill has to do with Funeral Directors."

S. B. 268, a bill to require that lifesaving devices be carried on all vessels.

The bill passes its second reading.

On objection of Senator Garrison to its third reading the bill remains on the Calendar.

S. B. 269, a bill to require display of validation decals on both sides of the bow of motorboats.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 286, a bill to provide a supplemental retirement fund for firemen in the City of Roanoke Rapids and to modify the application of G. S. 118-5, G. S. 118-6, and G. S. 118-7 to the City of Roanoke Rapids, upon second reading.

The bill passes its second reading by roll-call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 46.

The bill remains on the Calendar, upon third reading.

S. B. 292, a bill to regulate aquatic ski jumps and other facilities used by water skiers.

On motion of Senator Combs, consideration of the bill is postponed until Monday, April 11.

H. B. 279, a bill to amend Chapter 269 of the 1975 Session Laws to prevent the use of artificial lights in areas inhabited by game in Surry County.

Senator Smith of Guilford offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 280, a bill to prohibit hunting with firearms from the right-of-way of highways in Surry County, upon second reading.

Senator Smith of Guilford offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading by roll-call vote, ayes 48, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 48.

The bill, as amended, remains on the Calendar, upon third reading.

H. B. 373, a bill to amend Chapter 503 of the Session Laws of 1971 to provide for nine members on Dare County Airport Authority.

The bill passes its second and third readings and is ordered enrolled.

H. B. 413, a bill to exempt the offer and sale of limited partnership interests in partnerships organized for the sole purpose of owning and operating low and moderate income rental housing projects from the registration requirements of the North Carolina Securities Act.

The bill passes its second and third readings and is ordered enrolled.

H. B. 529, a bill to extend the prohibition against the hunting or taking of bear in Tyrrell County.

The bill passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 186, an act to allow civic and charitable organizations to sponsor or operate the game of bingo in Pamlico County.

S. B. 188, an act to rewrite G. S. 153A-233 concerning county fire protection.

S. B. 210, an act to amend Chapter 16, Session Laws of 1957 relating to the Gaston County Rural Police Force.

H. B. 170, Committee Substitute for H. B. 170, an act to amend G. S. 88-1, relating to cosmetologists so as to make the provisions of said act apply to Cumberland, Forsyth, Stanly and Union Counties.

H. B. 381, an act to amend G. S. 25-9-403(7), concerning the filing of a financing statement covering timber to be cut.

On motion of Senator Royall, the Senate adjourns to meet tomorrow at 1:00 P.M.

SIXTY-SECOND DAY

SENATE CHAMBER,
Thursday, April 7, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Reverend Ted James, Minister of Ridge Road Baptist Church, Raleigh.

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants courtesies of the gallery to the Honorable I. Beverly Lake, Associate Justice of the North Carolina Supreme Court.

S. B. 266, a bill to establish a commission to study the need for legislation increasing the fees for the service of civil and criminal process.

On motion of Senator Henley the rules are suspended and the bill is taken from the **Rules and Operation of the Senate Committee** and re-referred to the **Finance Committee.**

S. B. 429, a bill to create a Statewide Public/Educational Television Study Commission.

Without objection, the rules are suspended and the bill is taken from the **Higher Education Committee** and re-referred to the **Appropriations Committee.**

H. B. 77, a bill to prohibit obstructing the administration of justice by picketing or parading.

On motion of Senator Allsbrook the rules are suspended and the bill is taken from the **Judiciary I Committee** and re-referred to the **Judiciary II Committee.**

H. B. 348, Committee Substitute for **H. B. 348**, a bill to prohibit forged signatures on petitions for elections or referenda.

Without objection, the rules are suspended and the Committee Substitute bill is taken from the **Election Laws Committee** and re-referred to the **Judiciary II Committee.**

H. B. 420, a bill to amend G. S. 90-29(c)(4) to allow the practice of dentistry by dental students at off-campus locations approved by the North Carolina State Board of Dental Examiners.

On motion of Senator Wynne the rules are suspended and the bill is taken from the **Higher Education Committee** and re-referred to the **Human Resources Committee.**

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hill for the **Constitutional Amendments Committee:**

S. B. 293, a bill to amend the Constitution of North Carolina to empower the voters to elect the Governor and Lieutenant Governor for two consecutive terms, with a favorable report.

On motion of Senator Hill, the bill is placed on the Calendar as a special order of business, No. 1, for Wednesday, April 13.

S. B. 315, a bill to amend the Constitution of North Carolina to provide four-year terms of office for magistrates instead of two years, with an unfavorable report.

By Senator Harris for the **Human Resources Committee:**

S. B. 373, a bill to amend G. S. 143B-182 and G. S. 143B-183 to modify the State Mental Health Council for the purpose of meeting requirements set by federal authorities as a condition to receiving federal aid, with a favorable report.

On motion of Senator Harris the bill is re-referred to the **Appropriations Committee.**

H. B. 457, a bill to amend the compensation provisions for sanitary district board members, with a favorable report.

H. J. R. 485, a joint resolution urging the United States Congress to provide reimbursement for services rendered by duly certified and supervised physician extenders, with a favorable report.

H. B. 495, a bill to extend the Mental Health Study Commission, with a favorable report.

H. B. 535, a bill to authorize municipalities to undertake programs for the care and assistance of older citizens, with a favorable report.

By Senator Allsbrook for the **Judiciary I Committee:**

S. J. R. 314, a joint resolution creating a Committee for the Study of Qualifications and Standards for the Judiciary in North Carolina, with an unfavorable report.

By Senator Henley for the **Rules and Operation of the Senate Committee:**

H. J. R. 133, a joint resolution memorializing Congress to consider the advisability of making payments in lieu of property taxes to local units of government within which large amounts of federal land are located or large numbers of military personnel are situated, with a favorable report.

H. J. R. 544, a joint resolution congratulating and commending the Pantego High School Basketball Team for its performance and sportsmanship in winning the State 1-A Conference Basketball Championship, with a favorable report.

H. J. R. 600, a joint resolution honoring and giving recognition to the North Carolina Dance Theatre, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senators Walker and Totherow:

S. B. 430, a bill to amend Section 310 of Chapter 20 of the General Statutes relating to termination of insurance.
Referred to **Insurance Committee.**

By Senator Smith of New Hanover:

S. B. 431, a bill to provide for sales tax on stevedore equipment to be at the rate of one percent of the sales price.
Referred to **Finance Committee.**

By Senator Sharpe:

S. B. 432, a bill to revise and consolidate the Charter of the Town of Valdese and to repeal prior local acts.
Referred to **Local Government and Regional Affairs Committee.**

By Senator Hill:

S. B. 433, a bill authorizing appointment of a Board of Equalization and Review for Transylvania County.
Referred to **Local Government and Regional Affairs Committee.**

By Senators Mathis and Raynor:

S. B. 434, a bill to provide for mandatory periodic judicial reveiew in all cases where the custody of a child is removed from a parent.
Referred to **Judiciary I Committee.**

By Senators Lake, Stallings, Winters, Renfrow, Sebo, Marvin, Gray, Mathis, Marion, Wynne, Walker, and Combs:

S. B. 435, a bill to appropriate funds for the Tar Heel Junior Historian Association.

Referred to **Appropriations Committee.**

By Senator Sebo:

S. B. 436, a bill to appropriate funds to the Department of Human Resources to be used for the development of community-based alternatives to training schools.

Referred to **Appropriations Committee.**

By Senator Sebo:

S. B. 437, a bill to amend G. S. 148-19 to allow the Commission of Mental Health Services to prescribe standards for the delivery of mental health services to inmates in the custody of the Department of Corrections.

Referred to **Human Resources Committee.**

By Senator Sebo:

S. B. 438, a bill to amend G. S. 148-22(b) to allow for increased cooperation between the Department of Correction and other public and private agencies in order to improve the delivery of mental health services to inmates of the Department of Correction.

Referred to **Human Resources Committee.**

By Senator Sebo:

S. B. 439, a bill repealing the criminal offense of public drunkenness and granting authority to assist persons who become intoxicated in public.

Referred to **Judiciary II Committee.**

By Senator Sebo:

S. B. 440, a bill to remove violation of a thirty-day misdemeanor as grounds for revocation of probation.

Referred to **Judiciary II Committee.**

By Senator Sebo:

S. B. 441, a bill to establish a classification of felonies and to provide criteria for sentencing convicted felons.

Referred to **Judiciary II Committee.**

By Senators Hardison, Henley, Royall, and Harris:

S. B. 442, a bill to amend Chapter 929 of the 1975 Session Laws relating to the commitment of noncriminal juvenile offenders to juvenile institutions for delinquents.

Referred to **Judiciary II Committee.**

By Senator Whichard:

S. B. 443, a bill to provide a comprehensive glaucoma and diabetes detection, and a diabetes control program.
Referred to **Human Resources Committee.**

By Senators Smith of New Hanover and Swain:

S. B. 444, a bill to waive the governmental immunity of cities in tort and to require cities to respond in damages up to one hundred thousand dollars.
Referred to **Judiciary I Committee.**

By Senators Smith of New Hanover and Swain:

S. B. 445, a bill to waive the governmental immunity of counties in tort and to require counties to respond in damages up to one hundred thousand dollars.
Referred to **Judiciary I Committee.**

By Senators Smith of New Hanover and Swain:

S. B. 446, a bill to amend the Tort Claims Act to provide coverage for negligence and to raise the limits to one hundred thousand dollars.
Referred to **Judiciary I Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 167, Committee Substitute for H. B. 167, a bill to amend G. S. 105-141 to exempt from gross income unemployment benefits.
Referred to **Manufacturing, Labor and Commerce Committee.**

H. J. R. 378, a bill designating April 29, 30 and May 1, 1977, as Shrine Hospital Weekend in the State of North Carolina.
Referred to **Rules and Operation of the Senate Committee.**

H. B. 472, a bill to provide for use of transporter plates by house trailer or mobile home movers.
Referred to **Transportation Committee.**

H. B. 506, a bill to provide for four additional members on the Emergency Medical Services Advisory Council.
Referred to **Human Resources Committee.**

H. B. 531, a bill creating a Division of Aging in the Department of Human Resources and amending statutes creating the Governor's Coordinating Council on Aging.
Referred to **Human Resources Committee.**

H. B. 550, a bill to amend G. S. 143B-182 and G. S. 143B-183 to modify the State Mental Health Council for the purpose of meeting requirements set by federal authorities as a condition to receiving federal aid.

Referred to **Human Resources Committee.**

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. B. 758, a bill to supersede Chapters 242 and 243 of the 1939 Session Laws, amended by Chapters 310 and 311 of the 1945 Session Laws and Chapters 320 and 322 of the 1955 Session Laws, relating to the Policemen and Firemen Pension Fund of the City of Asheville and substituting in lieu thereof a new act to provide for the retirement and disability of policemen and firemen of the City of Asheville.

On motion of Senator Swain, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second reading by roll-call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Ballenger, Barnes, Britt, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 45.

Senator Henley moves that the vote by which the bill passed its second reading be reconsidered, which motion prevails.

The bill remains on the Calendar upon second reading.

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 223, a bill to amend the General Statutes to provide that for purposes of assessment under Article 17B of Chapter 58 premiums otherwise reportable by servicing insurers under the Fair and Beach Plans shall be deemed to be the premiums of the insurers participating in those plans, upon second reading.

The bill passes its second reading by roll-call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 47.

The bill remains on the Calendar upon third reading.

April 7, 1977

S. B. 268, a bill to require that lifesaving devices be carried on all vessels, upon third reading.

Senator Davis offers Amendment No. 1 which fails of adoption.

Senator Combs calls the previous question, seconded by Senator Rauch. The call is sustained.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 286, a bill to provide a supplemental retirement fund for firemen in the City of Roanoke Rapids and to modify the application of G. S. 118-5, G. S. 118-6, and G. S. 118-7 to the City of Roanoke Rapids, upon third reading.

The bill passes its third reading by roll-call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Soles, Speed, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 43.

The bill is ordered sent to the House of Representatives.

S. B. 323, a bill renaming Cedar Cliff, located in Haywood County, as Ferguson Mountain.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 326, a bill to provide for the election of members of the Roanoke Rapids Sanitary District Board.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 328, a bill amending Chapter 956, Session Laws of 1957, relating to membership of the Power Board for the Town of Murphy.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 342, a bill relating to the tax records of Buncombe County and the City of Asheville.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 343, a bill to amend Chapter 802 of the 1971 Session Laws to revise the laws relating to the Buncombe County Board of Tax Supervision.

On motion of Senator Soles, the Committee amendment is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 371, a bill authorizing appointment of a Board of Equalization and Review for Montgomery County.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 221, a bill to amend Chapter 58 of the General Statutes to remove the limitation on the amounts of coverage of certain types of group insurance.

Senator Walker offers Amendment No. 1.

Senator Vickery moves the bill and pending Amendment No. 1 be re-referred to the **Finance Committee,** which motion fails to prevail.

Amendment No. 1 fails of adoption.

The bill passes its second reading.

On objection of Senator Smith of Guilford to its third reading the bill remains on the Calendar.

H. B. 273, a bill to amend Chapter 58 so as to exempt warranties offered by foreign car distributors from being contracts of insurance.

On motion of Senator Totherow, the Committee amendment is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 280, a bill to prohibit hunting with firearms from the right-of-way of highways in Surry County, as amended, upon third reading.

The bill, as amended, passes its third reading by roll-call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Somers, Speed, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 45.

The bill, as amended, is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 414, a bill to amend Chapter 18A of the General Statutes to authorize the sale of unfortified wines, in those municipalities and counties having ABC Stores.

On motion of Senator Winters, the Committee amendment is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 453, a bill to repeal Chapter 125 of the 1870 Public Laws regulating the Scotch Fair.

The bill passes its second and third readings and is ordered enrolled.

H. B. 454, a bill to repeal Chapter 247 of the 1943 Session Laws relating to the Richmond County Airport Commission.

The bill passes its second and third readings and is ordered enrolled.

H. B. 465, a bill to amend Chapter 60, Session Laws of 1957, by changing the term of office for the Mayor and Commissioners for the Town of Webster.

The bill passes its second and third readings and is ordered enrolled.

H. B. 474, a bill to modify the method of selection of members of the Board of Education of Whiteville City School Administrative Unit.

The bill passes its second and third readings and is ordered enrolled.

H. B. 490, a bill providing for the nomination and election of the members of the Camden County Board of Education.

The bill passes its second and third readings and is ordered enrolled.

H. B. 530, a bill to amend Chapter 398 of the 1973 Session Laws relating to the Civil Service Test in Mecklenburg County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 586, a bill to provide for the appointment of a special board of equalization and review by the Board of County Commissioners of Cumberland County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 597, a bill to implement metrication in the alcoholic beverage control statutes.

The bill passes its second and third readings and is ordered enrolled.

H. B. 626, a bill to authorize the qualified voters of the Town of Banner Elk, Avery County, to determine whether Alcoholic Beverage Control stores shall be operated in the Town of Banner Elk.

The bill passes its second and third readings and is ordered enrolled.

Senator Marion requests to be recorded as voting "no."

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 118, an act to amend G. S. 47-108.11 relating to validation of recorded instruments where seals have been omitted.

S. B. 212, an act to amend the Uniform Anatomical Gift Act to provide for the donation of all or any part of the ward's body by the guardian before the time of the ward's death.

H. B. 315, an act to require the immunization of children against rubella.

H. B. 373, an act to amend Chapter 503 of the Session Laws of 1971 to provide for nine members on Dare County Airport Authority.

H. B. 413, an act to exempt the offer and sale of limited partnership interests in partnerships organized for the sole purpose of owning and

operating low and moderate income rental housing projects from the registration requirements of the North Carolina Securities Act.

H. B. 459, an act to authorize the Secretary of Human Resources to designate a subordinate officer or employee of the Department as the State Registrar of Vital Statistics.

H. B. 529, an act to extend the prohibition against the hunting or taking of bear in Tyrrell County.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 9:00 A.M.

SIXTY-THIRD DAY

SENATE CHAMBER,
Friday, April 8, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Honorable Bobby Lee Combs, Senator from Catawba County.

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Smith of New Hanover, McDuffie, Lawing, and Mathis for today.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rauch for the **Finance Committee**:

S. B. 82, a bill to be known as the North Carolina Commercial Fertilizer Law, with a favorable report.

S. B. 124, a bill to amend G. S. 58-63 concerning schedule of fees and charges to be collected by the Commissioner of Insurance, with a favorable report.

S. B. 187, a bill to amend and to correct omissions and internal inconsistencies in Chapter 159B of the General Statutes, with a favorable report.

On motion of Senator Rauch, the bill is placed on the Calendar for Wednesday, April 13.

S. B. 295, a bill to amend the Health Care Facilities Finance Act to permit the powers granted thereunder to the North Carolina Medical Care Commission to be exercised by the Executive Committee of said Commission, with a favorable report.

H. B. 408, a bill to amend Chapter 159 of the General Statutes of North Carolina by providing for the application of the proceeds of refunding bonds; to permit the issuance of special obligation bonds payable solely from the proceeds of securities purchased with the proceeds of refunding bonds and special obligation refunding bonds; and to permit the private sales of certain refunding bonds, with a favorable report.

On motion of Senator Rauch, the bill is placed on the Calendar for Tuesday, April 12.

By Senator Britt for the **Judiciary II Committee:**

S. B. 153, a bill to rewrite Chapter 36 of the General Statutes relating to trusts, with a favorable report.

S. B. 197, a bill to amend G. S. 74B-3 relating to the "Private Protective Services", with a favorable report.

S. B. 205, a bill to amend G. S. 55B-7(b) of the General Statutes providing for the method of disposition of stock in a professional corporation upon the death or disqualification of such shareholder, with a favorable report.

S. B. 265, a bill to prohibit minors with felony convictions from holding or obtaining motor vehicle operator's license, with an unfavorable report.

H. B. 377, a bill to amend G. S. 15A-1023(b) to provide for the granting of a continuance to defendant upon rejection of a plea by trial judge, with a favorable report.

H. B. 389, a bill to repeal G. S. 55A-86 of the General Statutes and to add new G. S. 55A-33.1 concerning action by members of nonprofit corporations without a meeting, with a favorable report.

By Senator Childers for the **Manufacturing, Labor, and Commerce Committee:**

S. B. 83, a bill to amend G. S. 95-87 by raising the State minimum wage to two dollars and thirty cents per hour, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Childers, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

By Senator Whichard for the **State Government Committee:**

H. B. 388, Committee Substitute for H. B. 388, a bill to reconstitute the Department of Commerce; to transfer the Division of Economic Development from the Department of Natural and Economic Resources to the Department

of Commerce; to create an Economic Development Board, and a Labor Force Development Council within the Department of Commerce; and to transfer the Science and Technology Center, the Science and Technology Committee and the North Carolina National Park, Parkway and Forest Development Council from the Department of Natural and Economic Resources to the Department of Commerce and to make necessary conforming changes in the General Statutes of North Carolina, with a favorable report, as amended.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Combs:

S. B. 447, a bill to require numbering of sailboats with hulls longer than fourteen feet.

Referred to **Wildlife Committee.**

By Senator Combs:

S. B. 448, a bill to amend Article 7 of Chapter 110 of the General Statutes entitled "Day-Care Facilities" to change the penalty for violation and to provide assistance in the supression of unlicensed day-care facilities.

Referred to **Judiciary I Committee.**

By Senator Combs:

S. B. 449, a bill to appropriate funds to the Department of Natural and Economic Resources, Division of Forest Resources, to fund the position of assistant forest ranger in Catawba County.

Referred to **Appropriations Committee.**

By Senators Popkin, Somers, and Marvin:

S. B. 450, a bill to require adequate energy conservation measures prior to connection of electric service for new buildings.

Referred to **Public Utilities and Energy Committee.**

By Senators Garrison, Stallings, and Mathis:

S. B. 451, a bill to provide for a system of educational opportunities for all children requiring special education.

Referred to **Education Committee.**

By Senators Royall, Walker, Whichard, and Vickery:

S. J. R. 452, a joint resolution honoring the life, service and memory of Alexander Hawkins Graham, former Lieutenant Governor and former member of the North Carolina General Assembly.

Referred to **Rules and Operation of the Senate Committee.**

By Senator Wynne:

S. B. 453, a bill to regulate the handling of tenant security deposits in residential dwelling units.

Referred to **Judiciary II Committee.**

By Senator Walker:

S. B. 454, a bill to amend Article 4 of Chapter 122 of the General Statutes to protect the privacy of minors voluntarily admitted to a treatment facility by making the court record of admission confidential.

Referred to **Judiciary I Committee.**

By Senator Barnes:

S. B. 455, a bill relating to raffles and the game of bingo in Wayne County.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Barnes:

S. B. 456, a bill to apply to Wayne County the provisions of Section 1 of Chapter 4 of the 1971 Session Laws requiring the reporting of certain wounds, injuries or illnesses.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Vickery:

S. B. 457, a bill to provide for the mandatory availability of comprehensive health insurance coverage and the creation of a Health Care Commission.

Referred to **Insurance Committee.**

By Senators Palmer, Wynne, Swain, Vickery, and Lake:

S. J. R. 458, a joint resolution honoring Billy Ray Cameron, past Commander of North Carolina Veterans of Foreign Wars, and candidate for National Junior Vice-Commander of Veterans of Foreign Wars.

Referred to **Rules and Operation of the Senate Committee.**

By Senators Sebo, Marvin, Winters, Wynne, Walker, Vickery, Sharpe, Smith of Guilford, Daniels, Stallings, Smith of New Hanover, Rauch, Raynor, Lawing, Alexander, Combs, Henley, Webster, and Palmer:

S. B. 459, a bill to promote and protect the welfare of the people of the State of North Carolina by prevention and elimination of discriminatory employment practices and policies based upon race, color, religion, national origin, ancestry, age, or sex.

Referred to **Judiciary II Committee.**

By Senators Henley, Hardison, Totherow, Davis, Royall, Garrison, Whichard, and Hill:

S. B. 460, a bill providing for the review of administrative rules and regulations.

Referred to **State Government Committee.**

April 8, 1977

By Senators Marion, Webster, Ballenger, and Combs:

S. B. 461, a bill to appropriate funds for certain injuries and deaths.
Referred to **Appropriations Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 175, a bill to authorize the Coroner of Cleveland County to order autopsies to be performed and to complete the medical certification of death with respect to deaths within his jurisdiction, for concurrence in the House amendment which is placed on the Calendar for Monday, April 11.

H. B. 304, Committee Substitute for H. B. 304, a bill to amend G. S. 1A-1, Rule 41(d), to provide that the trial judge shall stay proceedings of revived lawsuits in which costs have not been paid until such costs are paid.
Referred to **Judiciary I Committee.**

H. B. 434, Committee Substitute for H. B. 434, a bill to allow the use of computer tapes in the preparation and custody of the jury list.
Referred to **Judiciary II Committee.**

H. B. 436, a bill to make the law enforcement officers of the Village of Pinehurst eligible for membership in the Law Enforcement Officers' Benefit and Retirement Fund and for social security benefits under Article 2, Chapter 135 of the General Statutes.
Referred to **Local Government and Regional Affairs Committee.**

H. B. 524, a bill to change the names of the Sanford-Lee County Board of Education to the Lee County Board of Education.
Referred to **Local Government and Regional Affairs Committee.**

H. B. 555, a bill to amend Chapter 691 of the 1975 Session Laws, As Amended, relating to the pension fund of the retirement and disability of members of the police department of the City of High Point.
Referred to **Local Government and Regional Affairs Committee.**

H. B. 557, a bill to provide for the election and term of the Board of County Commissioners of Cabarrus County.
Referred to **Local Government and Regional Affairs Committee.**

H. B. 561, a bill to reduce the membership of the Hyde County Board of Education to five and to provide for their election.
Referred to **Local Government and Regional Affairs Committee.**

H. B. 562, a bill to change the name of the Town of Earl Station to Earl.
Referred to **Local Government and Regional Affairs Committee.**

H. B. 614, a bill to change the term of the members of the Board of Commissioners and the Mayor of the Town of Hayesville to four years.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 623, a bill to amend Chapter 657 of the 1975 Session Laws to provide for the election and runoff election method of election and to permit the use of absentee ballots in elections for the Durham County Board of Education.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 659, a bill authorizing the Charlotte City Council to appropriate funds annually to Carolinas' Carrousel, Incorporated from nontax revenue.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 682, a bill to provide a referendum in Columbus County to determine whether the County Police Force and Board of Public Safety shall be retained.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 687, a bill amending the Charter of the City of Durham to authorize the city clerk to appoint and suspend or remove subordinate employees.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 695, a bill to allow the Davidson County Board of Commissioners to establish a scholarship fund in memory of Dennis Franklin Spinnett and Robert Glenn Crawford.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 698, a bill to authorize the Town of Kenansville in Duplin County to sell or lease a tract of land by private negotiation.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 713, a bill to redefine the duties of the Black Mountain Town Attorney.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 723, a bill to authorize the Town of Carrboro to exercise all of the authority given to cities and towns with respect to planning and regulation of development by Article 19 of Chapter 160A of the General Statutes.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 755, a bill to provide that in the selection of Boards of Alcoholic Control for Gates and Hertford Counties only those members of the Gates/Hertford District Board of Health from Gates County shall vote on appointments to the Gates County Alcoholic Control Board and only those members from Hertford County shall vote on appointments to the Hertford County Alcoholic Control Board.

Referred to **Local Government and Regional Affairs Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 83, a bill to amend G. S. 95-87 by raising the State minimum wage to two dollars and thirty cents per hour.

On motion of Senator Childers, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Tuesday, April 12.

S. B. 223, a bill to amend the General Statutes to provide that for purposes of assessment under Article 17B of Chapter 58 premiums otherwise reportable by servicing insurers under the Fair and Beach Plans shall be deemed to be the premiums of the insurers participating in those plans, upon third reading.

The bill passes its third reading by roll-call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Marion, Marvin, Palmer, Popkin, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Speed, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 40.

The bill is ordered sent to the House of Representatives.

H. J. R. 133, a joint resolution memorializing Congress to consider the advisability of making payments in lieu of property taxes to local units of government within which large amounts of federal land are located or large numbers of military personnel are situated.

On motion of Senator Henley, the joint resolution is re-referred to the **Finance Committee.**

H. B. 221, a bill to amend Chapter 58 of the General Statutes to remove the limitation on the amounts of coverage of certain types of group insurance, upon third reading.

On motion of Senator Stallings, consideration of the bill is postponed until Tuesday, April 12.

H. B. 457, a bill to amend the compensation provisions for sanitary district board members.

The bill passes its second and third readings and is ordered enrolled.

H. J. R. 485, a joint resolution urging the United States Congress to provide reimbursement for services rendered by duly certified and supervised physician extenders.

The joint resolution passes its second and third readings and is ordered enrolled.

H. B. 495, a bill to extend the Mental Health Study Commission.

The bill passes its second and third readings and is ordered enrolled.

H. B. 535, a bill to authorize municipalities to undertake programs for the care and assistance of older citizens, upon second reading.

The bill passes its second reading by roll-call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Marion, Marvin, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Speed, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 41.

The bill remains on the Calendar upon third reading.

H. J. R. 544, a joint resolution congratulating and commending the Pantego High School Basketball Team for its performance and sportsmanship in winning the State 1-A Conference Basketball Championship.

The joint resolution passes its second and third readings and is ordered enrolled.

H. J. R. 600, a joint resolution honoring and giving recognition to the North Carolina Dance Theatre.

The joint resolution passes its second and third readings and is ordered enrolled.

H. B. 758, a bill to supersede Chapters 242 and 243 of the 1939 Session Laws, amended by Chapters 310 and 311 of the 1945 Session Laws and Chapters 320 and 322 of the 1955 Session Laws, relating to the Policemen and Firemen Pension Fund of the City of Asheville and substituting in lieu thereof a new act to provide for the retirement and disability of policemen and firemen of the City of Asheville, upon second reading.

The bill passes its second reading by roll-call vote, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Crawford, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Marion, Marvin, Palmer, Popkin, Renfrow, Royall, Scott, Sebo, Sharpe, Speed, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 36.

The bill remains on the Calendar upon third reading.

On motion of Senator Henley, the Senate adjourns to meet Monday at 8:00 P.M.

SIXTY-FOURTH DAY

SENATE CHAMBER,
Monday, April 11, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our God, Who hast brought life and immortality to light, we thank Thee for this time of the year when the blossoms on the trees, and every blade of grass seem to be praising Thee. May we join in this cosmic chorus of thanksgiving, and say with Job of old 'I know that my Redeemer liveth.' For Thy name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of Friday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Marion for today.

The President recognizes the following pages serving in the Senate this week: Judy Almstead, Madison; Eddie Aurty, Aurtyville; Beverly Barnett, Raleigh; Kim Benfield, Lenoir; Cam Carter, Raleigh; Norma Crawford, Mebane; Grant Crownfield, Dobson; Alexandra Davis, Winston-Salem; Princie Dixon, Raleigh; Susan Dobbins, Elkin; David Ellis, Mount Olive; Deborah Helms, Monroe; Thad Huneycutt, Thomasville; David Jordan, Stedman; Paul Lane, Apex; Richard Lee, Raleigh; Cynthia Mims, Fayetteville; Caroline Richardson, Wilkesboro; Tucker Smith, Wilmington; Kirk Sparks, Rutherfordton; Denny Vickory, Mount Olive; Stuart Williams, Kernersville; and Jeannine Wilson, Raleigh.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senators Gray, Smith of Guilford, and Sebo:

S. B. 462, a bill to appropriate funds for the North Carolina Shakespeare Festival.

Referred to **Appropriations Committee.**

By Senator Combs (by request):

S. B. 463, a bill to revise and consolidate the laws of North Carolina relating to the conservation of wildlife resources.

Referred to **Wildlife Committee.**

By Senators Whichard, Wynne, and Palmer:

S. B. 464, a bill to establish a real estate recovery fund; to make technical changes to Chapter 93A of the General Statutes; and to increase the educational requirements to qualify for licensure as a real estate broker.

Referred to **Judiciary I Committee.**

By Senators Daniels and Harrington:

S. B. 465, a bill to redefine and extend the corporate limits of the Town of Plymouth, Washington County, North Carolina.

Referred to **Local Government and Regional Affairs Committee.**

By Senators Allsbrook and White:

S. J. R. 466, a joint resolution commemorating the 201st Anniversary of the Halifax Resolves.

On motion of Senator Allsbrook, the rules are suspended and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

By Senators Lake, Barnes, and Wynne:

S. B. 467, a bill amending Chapter 55B, the Professional Corporation Act, so as to allow limited ownership interest in such corporation by nonprofessionals of engineering, architecture and landscape architecture firms.

Referred to **Judiciary I Committee.**

By Senator Childers:

S. B. 468, a bill to amend Chapter 96 of the General Statutes known as the Employment Security Law to conform with federal requirements, to make technical improvements and corrections, and to remove outdated and inconsistent provisions from the law.

Referred to **Manufacturing, Labor and Commerce Committee.**

By Senator Sharpe:

S. B. 469, a bill to abolish monopolistic bureaus and associations and reduce the cost of rate-making and to provide for the approval of lower automobile insurance rates by the Commissioner of Insurance for those companies operated efficiently.

Referred to **Insurance Committee.**

By Senator Sharpe:

S. B. 470, a bill to amend Article 25 of Chapter 58 of the General Statutes to provide insurance rate regulations for certain commercial vehicles.

Referred to **Insurance Committee.**

On motion of Senator Webster the rules are suspended to allow the following joint resolution to be sent forward for introduction in tonight's session:

By Senator Webster:

S. J. R. 499, a joint resolution providing for a joint session or sessions of the Senate and the House of Representatives to act on confirmation of appointments made by the Governor to membership on the North Carolina Utilities Commission.

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On motion of Sentaor Webster, the rules are suspended and the joint resolution is placed before the Senate for immediate consideration.

Senator Webster offers Amendment No. 1 which is adopted.

The joint resolution, as amended, passes its second and third readings and, without objection, is ordered sent to the House of Representatives by special messenger without engrossment.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 383, a bill to amend G. S. 130-166.29 to extend the time period in which the local health director must forward the records to the local board of health in an appeal from an adverse decision concerning an improvement permit or certificate of completion for a ground absorption sewage system.

Referred to **Human Resources Commitee.**

H. B. 517, a bill to amend G. S. 25-9-403(3) concerning financing statements.

Referred to **Judiciary II Committee.**

H. B. 566, a bill to amend Article 12 of Chapter 131 of the General Statutes of North Carolina to provide that bonds issued by a hospital authority and the interest thereon are exempt from State and local taxation.

Referred to **Finance Committee.**

H. B. 567, Committee Substitute for **H. B. 567,** a bill to amend G. S. 147-11.1 to provide succession to the Governor.

Referred to **State Government Committee.**

H. B. 640, a bill to amend Chapter 73 of the Session Laws of 1971, being the Charter of the Town of Mint Hill in Mecklenburg County.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 650, a bill to revise and consolidate the Charter of the Town of Hazelwood and to repeal prior local acts.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 693, a bill to amend Chapter 649, Session Laws of 1975 to enlarge the boundaries of Pinehurst.

Referred to **Local Government and Regional Affairs Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 82, a bill to be known as the North Carolina Commercial Fertilizer Law.

On motion of Senator White, Committee Amendments No. 1 and No. 2 are adopted.

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On motion of Senator Britt, Committee Amendments No. 3 and No. 4 are adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 124, a bill to amend G. S. 58-63 concerning schedule of fees and charges to be collected by the Commissioner of Insurance.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 153, a bill to rewrite Chapter 36 of the General Statutes relating to trusts.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 175, a bill to authorize the Coroner of Cleveland County to order autopsies to be performed and to complete the medical certification of death with respect to deaths within his jurisdiction, as amended, for concurrence in the House amendments.

On motion of Senator Harris, the Senate concurs in the House amendments and the bill is ordered enrolled.

S. B. 197, a bill to amend G. S. 74B-3 relating to the "Private Protective Services".

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 205, a bill to amend G. S. 55B-7(b) of the General Statutes providing for the method of disposition of stock in a professional corporation upon the death or disqualification of such shareholder.

On motion of Senator Davis, the bill is recommitted to the **Judiciary II Committee.**

S. B. 292, a bill to regulate aquatic ski jumps and other facilities used by water skiers.

On motion of Senator Combs, the Committee amendments are adopted.

Senator Garrison moves the bill, as amended, be re-referred to the **Judiciary I Committee.**

Senator Kincaid offers a substitute motion that the bill, as amended, be recommitted to the **Wildlife Committee,** which motion prevails.

S. B. 295, a bill to amend the Health Care Facilities Finance Act to permit the powers granted thereunder to the North Carolina Medical Care Commission to be exercised by the Executive Committee of said Commission.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 377, a bill to amend G. S. 15A-1023(b) to provide for the granting of a continuance to defendent upon rejection of a plea by trial judge.

The bill passes its second and third readings and is ordered enrolled.

H. B. 388, Committee Substitute for **H. B. 388**, a bill to reconstitute the Department of Commerce; to transfer the Division of Economic Development from the Department of Natural and Economic Resources to the Department of Commerce; to create an Economic Development Board, and a Labor Force Development Council within the Department of Commerce; and to transfer the Science and Technology Center, the Science and Technology Committee and the North Carolina National Park, Parkway and Forest Development Council from the Department of Natural and Economic Resources to the Department of Commerce and to make necessary conforming changes in the General Statutes of North Carolina.

On motion of Senator Whichard, the Committee amendment is adopted.

On motion of Senator Allsbrook, consideration of the Committee Substitute bill, as amended, is postponed until Tuesday, April 12.

H. B. 389, a bill to repeal G. S. 55A-86 of the General Statutes and to add new G. S. 55A-33.1 concerning action by members of nonprofit corporations without a meeting.

The bill passes its second reading.

On objection of Senator Hardison to its third reading the bill remains on the Calendar.

H. B. 535, a bill to authorize municipalities to undertake programs for the care and assistance of older citizens, upon third reading.

The bill passes its third reading by roll-call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Sentors Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 47.

The bill is ordered enrolled.

H. B. 758, a bill to supersede Chapters 242 and 243 of the 1939 Session Laws, amended by Chapters 310 and 311 of the 1945 Session Laws and Chapters 320 and 322 of the 1955 Session Laws, relating to the Policemen and Firemen Pension Fund of the City of Asheville and substituting in lieu thereof a new act to provide for the retirement and disability of policemen and firemen of the City of Asheville, upon third reading.

The bill passes its third reading by roll-call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, and Wynne — 45.

The bill is ordered enrolled.

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ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 168, an act to authorize hospital authorities to regulate parking on property owned or leased by them.

S. B. 273, an act providing for the transfer of the control, management, and operation of the Charlotte Park and Recreation Commission to the City of Charlotte.

S. B. 278, an act to amend Chapter 868 of the 1975 Session Laws to provide for filling a vacancy in the Henderson County Office of Register of Deeds.

H. B. 279, an act to amend Chapter 269 of the 1975 Session Laws to prevent the use of artificial lights in areas inhabited by game in Surry County.

H. B. 280, an act to prohibit hunting with firearms from the right-of-way of highways in Surry County.

H. B. 324, Senate Committee Substitute for H. B. 324, an act permitting municipal or county regulation of the solicitation of charitable funds in Forsyth County.

H. B. 414, a bill to amend Chapter 18A of the General Statutes to authorize the sale of unfortified wines, in those municipalities and counties having ABC Stores.

H. B. 453, an act to repeal Chapter 125 of the 1870 Public Laws regulating the Scotch Fair.

H. B. 454, an act to repeal Chapter 247 of the 1943 Session Laws relating to the Richmond County Airport Commission.

H. B. 457, an act to amend the compensation provisions for sanitary district board members.

H. B. 465, an act to amend Chapter 60, Session Laws of 1957, by changing the term of office for the Mayor and Commissioners for the Town of Webster.

H. B. 474, an act to modify the method of selection of members of the Board of Education of Whiteville City School Administrative Unit.

H. J. R. 485, a joint resolution urging the United States Congress to provide reimbursement for services rendered by duly certified and supervised physician extenders.

H. B. 490, an act providing for the nomination and election of the members of the Camden County Board of Education.

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H. B. 495, an act to extend the Mental Health Study Commission.

H. B. 530, an act to amend Chapter 398 of the 1973 Session Laws relating to the Civil Service Test in Mecklenburg County.

H. J. R. 544, a joint resolution congratulating and commending the Pantego High School Basketball Team for its performance and sportsmanship in winning the State 1-A Conference Basketball Championship.

H. B. 586, an act to provide for the appointment of a special board of equalization and review by the Board of County Commissioners of Cumberland County.

H. B. 597, an act to implement metrication in the alcoholic beverage control statutes.

H. J. R. 600, a joint resolution honoring and giving recognition to the North Carolina Dance Theatre.

H. B. 626, an act to authorize the qualified voters of the Town of Banner Elk, Avery County, to determine whether Alcoholic Beverage Control stores shall be operated in the Town of Banner Elk.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:30 P.M.

SIXTY-FIFTH DAY

SENATE CHAMBER,
Tuesday, April 12, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we come to Thee this day in acknowledgement of our need for wisdom and understanding. Our world is so complex, and the problems we face are so awesome, that we are compelled to seek the guidance which only Thou canst give. Hear us, we pray Thee, and give us that sense of direction we seek, and to Thee shall be the praise. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Gray for today.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Winters for the **Alcoholic Beverage Control Committee:**

H. B. 483, a bill relating to the distribution of the profits from the operation of the Dare County Alcoholic Beverage Control Board, with a favorable report.

By Senator White for the **Agriculture Committee:**

S. B. 406, a bill to amend G. S. 66-58, which prohibits sale of merchandise by governmental units, so as to exempt farmers' markets operated by the Department of Agriculture from the provisions of said act, with a favorable report.

H. B. 64, Committee Substitute for **H. B. 64,** a bill to amend Article 4C of Chapter 106 of the General Statutes, the Structural Pest Control Act, with a favorable report.

H. B. 242, Committee Substitute for H. B. 242, a bill to create the North Carolina Bee and Honey Act of 1977, with a favorable report.

By Senator Marion for the **Courts and Judicial Districts Committee:**

S. B. 330, a bill to amend Chapter 135 of the General Statutes to allow district court judges retirement credit for time served as judges of inferior courts, with a favorable report.

On motion of Senator Marion, the bill is re-referred to the **Appropriations Committee.**

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 178, a bill to require prosecutors to furnish to the defense by way of discovery the statements known to the State made by the defendant or codefendant whether or not the prosecutor intends to introduce the statements into evidence at trial, with an unfavorable report.

S. B. 289, a bill to clarify the provisions of G. S. 20-140 and G. S. 20-138 relating to reckless driving, with a favorable report.

By Senator Britt for the **Judiciary II Committee:**

H. B. 77, a bill to prohibit obstructing the administration of justice by picketing or parading, with a favorable report, as amended.

H. B. 403, a bill to amend G. S. 14-234 to permit certain public officials to transact business with public utilities in the regular course of business, with a favorable report.

H. J. R. 572, a joint resolution encouraging the Commissioner of Motor Vehicles and the Assistant Secretary of Transportation of Highway Safety to support affirmative attitudes regarding the upgrading of safety helmets for motorcycle riders, with a favorable report.

By Senator Soles for the **Local Government and Regional Affairs Committee:**

S. B. 283, a bill to incorporate Foxfire Village in Moore County, with a favorable report.

By Senator Combs for the **Wildlife Committee:**

S. B. 346, a bill to increase the fee for replacing lost certificates of motorboat number, with a favorable report.

On motion of Senator Combs, the bill is re-referred to the **Finance Committee.**

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Harris:

S. B. 471, a bill to establish a Governor's Council on Physical Fitness and Health.

Referred to **Human Resources Committee.**

By Senator Combs:

S. B. 472, a bill to develop a plan and policy of wildlife management for all lands suitable for this purpose owned by the State of North Carolina.

Referred to **Wildlife Committee.**

By Senator Renfrow:

S. B. 473, a bill to amend the Constitution and the General Statutes of North Carolina relative to the method of selection of members of the State Board of Education.

Referred to **Constitutional Amendments Committee.**

By Senators Renfrow and Childers:

S. B. 474, a bill to amend the Constitution of North Carolina and the General Statutes to make the Office of Superintendent of Public Instruction appointive.

Referred to **Constitutional Amendments Committee.**

By Senator Speed:

S. B. 475, a bill to amend G. S. 139-28 to increase the possible term of years for watershed district debts.

Referred to **Natural and Economic Resources Committee.**

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By Senator Speed:

S. B. 476, a bill to repeal G. S. 146-6.1 requiring registration of earth-moving equipment in the coastal area.

Referred to **Natural and Economic Resources Committee.**

By Senator Speed:

S. B. 477, a bill to provide that the proceeds from the sale of State park lands shall be deposited with the State Treasurer to the credit of the Department of Administrtaion to be used for the purchase of park lands.

Referred to **Natural and Economic Resources Committee.**

By Senator Speed:

S. B. 478, a bill to amend the Mining Act of 1971, G. S. 74-46 et seq.

Referred to **Natural and Economic Resources Committee.**

By Senator Speed:

S. B. 479, a bill to rewrite G. S. 113-36 relating to the proceeds from the sale of materials from the State forests.

Referred to **Natural and Economic Resources Committee.**

By Senator Speed:

S. B. 480, a bill to increase the amount of land the Department of Natural and Economic Resources may acquire in fee simple along the New River.

Referred to **Natural and Economic Resources Committee.**

By Senator Speed:

S. B. 481, a bill to amend G. S. 139-7 to change pertinent dates in the appointment of soil and water conservation districts' supervisors.

Referred to **Natural and Economic Resources Committee.**

By Senator Speed:

S. B. 482, a bill to repeal G. S. 141-7, which designates North Carolina's southern lateral seaward boundary with South Carolina.

Referred to **Natural and Economic Resources Committee.**

By Senator Speed:

S. B. 483, a bill to provide that certain rules of the Environmental Management Commission shall be filed with the Attorney General as provided by Chapter 150A of the General Statutes.

Referred to **Natural and Economic Resources Committee.**

By Senator Speed:

S. B. 484, a bill to amend certain laws affecting the promotion of coastal fisheries and seafood industry.

Referred to **Natural and Economic Resources Committee.**

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By Senator Childers (by request):

S. B. 485, a bill to increase representation on the OSHA Advisory Council.
Referred to **Manufacturing, Labor and Commerce Committee.**

By Senator Childers (by request):

S. B. 486, a bill to increase public sector representation on the Mine Safety and Health Advisory Council.
Referred to **Manufacturing, Labor and Commerce Committee.**

By Senator Childers (by request):

S. B. 487, a bill to amend G. S. 95-108 to authorize deposit of fees collected from elevator, escalator, etc., inspection to be paid into the General Fund of the State treasury.
Referred to **Manufacturing, Labor and Commerce Committee.**

By Senator Childers (by request):

S. B. 488, a bill to provide for appealing from the Safety and Health Review Board directly to the Court of Appeals rather than to the Superior Court of Wake County.
Referred to **Judiciary I Committee.**

By Senator Childers (by request):

S. B. 489, a bill to amend G. S. 95-69.12 to provide that fees collected for the inspection of boilers and pressure vessels shall be paid into the General Fund of the State treasury subject to appropriation by the General Assembly and not restricted to covering the operating expenses of the boiler and pressure vessel inspections.
Referred to **Manufacturing, Labor and Commerce Committee.**

By Senator Childers (by request):

S. B. 490, a bill to make employees of State and local governments subject to the North Carolina Minimum Wage Act.
Referred to **Manufacturing, Labor and Commerce Committee.**

By Senator Childers (by request):

S. B. 491, a bill to redefine "tipped employee" and to require that certain conditions must be met in order for the employer to qualify for "tip credit."
Referred to **Manufacturing, Labor and Commerce Committee.**

By Senator Childers (by request):

S. B. 492, a bill to increase representation on the North Carolina Board of Boiler and Pressure Vessels Rules.
Referred to **Manufacturing, Labor and Commerce Committee.**

By Senator Childers (by request):

S. B. 493, a bill to increase representation on the Apprenticeship Council.
Referred to **Manufacturing, Labor and Commerce Committee.**

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By Senator Childers (by request):

S. B. 494, a bill to make theater employees subject to the North Carolina Minimum Wage Act.

Referred to **Manufacturing, Labor and Commerce Committee.**

By Senator Childers (by request):

S. B. 495, a bill to make the Chairman of the Safety and Health Review Board a full-time employee of the State.

Referred to **Manufacturing, Labor and Commerce Committee.**

By Senators Speed and Alford:

S. B. 496, a bill to exempt certain property owned by the Franklinton City School Administrative Unit for G. S. 115-131.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Swain:

S. B. 497, a bill to provide for the nomination and election of the Buncombe County Board of Education.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Swain:

S. B. 498, a bill to amend Chapter 757 of the Session Laws of 1953 relating to the Civil Service Commission of the City of Asheville.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Whichard:

S. B. 500, a bill providing for the publication of the North Carolina Administrative Code.

Referred to **Appropriations Committee.**

By Senator Whichard:

S. B. 501, a bill to enable the Department of Administration to initiate sales, leases, or rentals of State lands.

Referred to **State Government Committee.**

By Senator Whichard:

S. B. 502, a bill to amend G. S. 146-25.1 pertaining to Department of Administration's authority over bid proposals for leasing.

Referred to **State Government Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 362, Committee Substitute for **H. B. 362,** a bill to amend G. S. 135-4(1) for the General Statutes relating to purchase of dependent schools service.

Referred to **State Government Committee.**

H. B. 375, a bill to amend G. S. 66-68 to relieve certain partnerships engaged in the practice of certified public accountancy from the requirement of filing certificates of assumed name.

Referred to **Judiciary I Committee.**

H. B. 392, a bill to require special tests for persons wishing to be licensed to operate a motorcycle.

Referred to **Judiciary II Committee.**

H. B. 427, a bill to repeal Chapter 102 of the Session Laws of 1971, and to provide for the transfer of registered voters so affected.

Referred to **Election Laws Committee.**

H. B. 461, a bill to revise and consolidate the Charter of the Town of North Wilkesboro and to repeal prior local acts.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 539, a bill to provide that in Moore County pistol permits shall be issued by the sheriff, or his designated deputy and that a fee of ten dollars shall be charged for each permit.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 554, a bill to authorize the Council of the City of High Point, North Carolina, to appoint park rangers and lake wardens.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 556, a bill to make changes in the Civil Service Commission, and the duties of the City Manager of the City of High Point.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 579, a bill to amend G. S. 47-71.1 so as to validate corporate deeds made prior to January 1, 1975, on which the corporate seal was omitted.

Referred to **Judiciary I Committee.**

H. B. 585, a bill to revise and consolidate the Charter of the City of Statesville and to repeal prior Charter acts.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 612, a bill to repeal the prohibition against hunting in the snow in Davie County.

Referred to **Wildlife Committee.**

H. B. 613, a bill to provide that the mayor and members of the Board of Aldermen of the Town of Andrews shall be elected for a term of four years.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 631, a bill to amend the law regulating the manner of taking game to make it applicable to Wayne County.

Referred to **Wildlife Committee.**

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H. B. 641, a bill to authorize the Forsyth County Board of Commissioners to extend the tax-listing period for the year 1977.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 673, a bill to define the term "subdivision" for Cherokee County.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 683, a bill to amend the Charter of the Town of Chadbourn to confer certain powers upon the governing body.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 684, a bill to provide that the Charlotte-Mecklenburg Board of Education may pay its ten-month employees on or before the tenth of each month.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 717, a bill to permit the compensation and expense allowances of members of the Davidson County Board of Education to be fixed by the Board.

Referred to **Local Government and Regional Affairs Committee.**

H. J. R. 835, a joint resolution commemorating the 201st Anniversary of the Halifax Resolves.

On motion of Senator Allsbrook, the rules are suspended and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second and third readings and is ordered enrolled.

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 83, Committee Substitute for **S. B. 83,** a bill to amend G. S. 95-87 by raising the State minimum wage to two dollars and thirty cents per hour.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 232, a bill to provide for the filing of a certificate of devise or descent.

Senator Hill offers Amendment No. 1 which is adopted.

Senator Renfrow offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

H. B. 221, a bill to amend Chapter 58 of the General Statutes to remove the limitation on the amounts of coverage of certain types of group insurance, upon third reading.

The bill passes its third reading and is ordered enrolled.

H. B. 388, Committee Substitute for **H. B. 388,** a bill to reconstitute the Department of Commerce; to transfer the Division of Economic Development

from the Department of Natural and Economic Resources to the Department of Commerce; to create an Economic Development Board, and a Labor Force Development Council within the Department of Commerce; and to transfer the Science and Technology Center, the Science and Technology Committee and the North Carolina National Park, Parkway and Forest Development Council from the Department of Natural and Economic Resources to the Department of Commerce and to make necessary conforming changes in the General Statutes of North Carolina, as amended.

The Committee Substitute bill, as amended, passes its second reading.

Senator Soles offers Amendment No. 2 which is adopted.

The Committee Substitute bill, as amended, passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate amendments, without objection, by special messenger.

H. B. 389, a bill to repeal G. S. 55A-86 of the General Statutes and to add new G. S. 55A-33.1 concerning action by members of nonprofit corporations without a meeting, upon third reading.

The bill passes its third reading and is ordered enrolled.

H. B. 408, a bill to amend Chapter 159 of the General Statutes of North Carolina by providing for the application of the proceeds of refunding bonds; to permit the issuance of special obligation bonds payable solely from the proceeds of securities purchased with the proceeds of refunding bonds and special obligation refunding bonds; and to permit the private sales of certain refunding bonds, upon second reading.

The bill passes its second reading by roll-call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 46.

The bill remains on the Calendar upon third reading.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 175, an act to authorize the Coroner of Cleveland County to order autopsies to be performed and to complete the medical certification of death with respect to deaths within his jurisdiction.

S. B. 257, an act to amend Chapter 1436 of the 1957 Session Laws relating to the Currituck County Game Commission.

S. B. 264, an act to permit participation in certain field trials for beagles without a hunting license.

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H. B. 273, an act to amend Chapter 58 so as to exempt warranties offered by foreign car distributors from being contracts of insurance.

H. B. 377, an act to amend G. S. 15A-1023(b) to provide for the granting of a continuance to defendent upon rejection of a plea by trial judge.

H. B. 535, an act to authorize municipalities to undertake programs for the care and assistance of older citizens.

H. B. 758, an act to supersede Chapters 242 and 243 of the 1939 Session Laws, amended by Chapters 310 and 311 of the 1945 Session Laws and Chapters 320 and 322 of the 1955 Session Laws, relating to the policemen and firemen pension fund of the City of Asheville and substituting in lieu thereof a new act to provide for the retirement and disability of policemen and firemen of the City of Asheville.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:30 P.M.

SIXTY-SIXTH DAY

SENATE CHAMBER,
Wednesday, April 13, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Reverend Jack F. Coffey, New Hope Baptist Church, Raleigh.

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President announces the death of the Honorable Eugene T. Bost, Jr., former Speaker of the House of Representatives from Cabarrus County and appoints the following delegation to represent the Senate at his funeral services: Senators Lawing, McDuffie, Mathis, Alexander, Garrison, and any other members of the Senate able to attend.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator McDuffie for the **Election Laws Committee:**

S. B. 297, a bill to amend G. S. 163-96 relative to the formation of new political parties, with a favorable report.

S. B. 298, a bill to clarify requirement of candidate seeking nomination by filing petition in lieu of paying filing fee, with a favorable report.

H. B. 478, Committee Substitute for H. B. 478, a bill to make technical amendments to the election laws, with a favorable report.

H. B. 509, a bill to authorize certain precinct officials to assist voters in marking ballots under certain circumstances, with a favorable report.

H. B. 570, a bill to provide for the election of County Commissioners in Yadkin County, with a favorable report.

By Senator Rauch for the **Finnace Committee:**

H. B. 331, a bill to amend the Uniform Boll Weevil Eradication Act, Article 4F of Chapter 106, with a favorable report.

On motion of Senator Rauch, the bill is re-referred to the **Appropriations Committee.**

H. B. 443, a bill to enact the North Carolina Soil Additives Act of 1977, with a favorable report.

By Senator Soles for the **Local Government and Regional Affairs Committee:**

S. B. 222, a bill to define and enlarge the corporate limits of the City of Wilmington, with a favorable report.

S. B. 376, a bill to correct an error in Chapter 16 of the 1977 Session Laws concerning the Commissioners of the Town of Raynham, with a favorable report, as amended.

S. B. 401, a bill to revise the Charter of the Town of Bolton in Columbus County, with a favorable report.

S. B. 427, a bill to amend Chapter 31 of the 1977 Session Laws to add Robeson County to the Wound Reporting Law, with a favorable report.

S. B. 432, a bill to revise and consolidate the Charter of the Town of Valdese and to repeal prior local acts, with a favorable report.

S. B. 433, a bill authorizing appointment of a Board of Equalization and Review for Transylvania County, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Soles, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S. B. 455, a bill relating to raffles and the game of bingo in Wayne County, with a favorable report.

S. B. 456, a bill to apply to Wayne County the provisions of Section 1 of Chapter 4 of the 1971 Session Laws, requiring the reporting of certain wounds, injuries or illnesses, with a favorable report.

S. B. 497, a bill to provide for the nomination and election of the Buncombe County Board of Education, with a favorable report.

H. B. 345, a bill to repeal Chapter 697, Session Laws of 1969, relating to a joint airport for Cities of Lincolnton and Cherryville, with a favorable report.

H. B. 484, a bill to make the provisions of G. S. 47-30(k), G. S. 47-32 and G. S. 47-32.2 applicable to Tyrrell County, with a favorable report.

H. B. 493, a bill to permit the postponement of the collection of assessments for the elderly or disabled, with a favorable report.

H. B. 494, a bill amending Chapter 224 of the Private Laws of 1927 with respect to the City of Winston-Salem and County of Forsyth, with a favorable report.

H. B. 524, a bill to change the name of the Sanford-Lee County Board of Education to the Lee County Board of Education, with a favorable report.

H. B. 539, a bill to provide that in Moore County pistol permits shall be issued by the sheriff, or his designated deputy and that a fee of ten dollars shall be charged for each permit with a favorable report, as amended.

H. B. 557, a bill to provide for the election and term of the Board f County Commissioners of Cabarrus County, with a favorable report.

H. B. 561, a bill to reduce the membership of the Hyde County Board of Education to five and to provide for their election, with a favorable report.

H. B. 562, a bill to change the name of the Town of Earl Station to Earl, with a favorable report.

H. B. 577, a bill to provide that in Greene County pistol permits shall be issued by the sheriff, or his designated deputy and that a fee of five dollars shall be charged for each permit, with a favorable report.

H. B. 585, a bill to revise and consolidate the Charter of the City of Statesville and to repeal prior Charter acts, with a favorable report, as amended.

H. B. 613, a bill to provide that the Mayor and members of the Board of Aldermen of the Town of Andrews shall be elected for a term of four years, with a favorable report.

H. B. 614, a bill to change the term of the members of the Board of Commissioners and the Mayor of the Town of Hayesville to four years, with a favorable report.

H. B. 640, a bill to amend Chapter 73 of the Session Laws of 1971, being the Charter of the Town of Mint Hill in Mecklenburg County, with a favorable report.

H. B. 650, a bill to revise and consolidate the Charter of the Town of Hazelwood and to repeal prior local acts, with a favorable report.

H. B. 682, a bill to provide a referendum in Columbus County to determine whether the County Police Force and Board of Public Safety shall be retained, with an unfavorable report.

H. B. 683, a bill to amend the Charter of the Town of Chadbourn to confer certain powers upon the governing body, with a favorable report.

H. B. 693, a bill to amend Chapter 649, Session Laws of 1975 to enlarge the boundaries of Pinehurst, with a favorable report.

By Senator Speed for the **Natural and Economic Resources Committee:**

S. B. 308, a bill to appropriate funds to the Department of Natural and Economic Resources for forest fire control purposes, with a favorable report.
Referred to **Judiciary I Committee.**
On motion of Senator Speed, the bill is re-referred to the **Appropriations Committee.**

By Senator Whichard for the **State Government Committee:**

S. B. 307, a bill to amend G. S. 135-4(k), relating to the repayment of retirement contributions of teachers and State employees, with an unfavorable report as to bill, favorable as to Committee Substitute bill.
On motion of Senator Whichard, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S. B. 344, a bill to transfer the State Employee Meritorious Service Award System for employee suggestions from the State Personnel System to the Secretary of Administration, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senators Smith of New Hanover, Britt, Allsbrook, Smith of Guilford, Barnes, Hill, Soles, Swain, Sharpe, Vickery, Walker, Whichard, Royall, Jordan, Raynor, Sebo, Marvin, Palmer, Somers, and Crawford:

S. B. 503, a bill to allow appeal of a money judgment in magistrate's court to stay execution of the judgment.
Referred to **Judiciary I Committee.**

By Senators Smith of New Hanover, Palmer, and Henley:

S. B. 504, a bill to provide a procedure for the exercise of a person's right to a natural death; and to add expressly the criterion of irreversible cessa-

tion of brain function to the other criteria for establishing a person's death.
Referred to **Judiciary I Committee.**

By Senator Smith of New Hanover:

S. B. 505, a bill to provide that the Topsail Beach Town Commissioners hereafter serve staggered terms.
Referred to **Local Government and Regional Affairs Committee.**

By Senator Hardison:

S. B. 506, a bill to provide additional funding for the Perinatal Health Care Program.
Referred to **Appropriations Committee.**

By Senator Hardison:

S. B. 507, a bill to authorize the City of Kinston and the County of Lenoir to sell or lease tracts of land by private negotiation.
Referred to **Local Government and Regional Affairs Committee.**

By Senator Walker:

S. B. 508, a bill to place Randolph County under G. S. 44-51.8 relating to attachment or garnishment for ambulance service in certain counties.
Referred to **Local Government and Regional Affairs Committee.**

By Senator Hill:

S. B. 509, a bill to rewrite G. S. 54-21.2(b) allowing State-chartered savings and loan associations to make any loans or investments permitted to federal savings and loan associations.
Referred to **Banking Committee.**

By Senator Hill:

S. B. 510, a bill to authorize savings and loan associations to employ such methods of loan repayment as shall be prescribed by the Administrator of the Savings and Loan Division.
Referred to **Banking Committee.**

By Senator Kincaid:

S. B. 511, a bill to make the General Primary Laws applicable to the nomination of County officers in Mitchell County.
Referred to **Local Government and Regional Affairs Committee.**

By Senators Henley and Scott:

S. B. 512, a bill to transfer North Carolina Housing Finance Agency from the Department of the Treasurer to the Department of Natural and Economic Resources and to make necessary conforming and technical changes in the General Statutes of North Carolina.
Referred to **State Government Committee.**

By Senator Allsbrook:

S. B. 513, a bill changing the method by which the profits of the Halifax County Board of Alcoholic Control shall be distributed.

Referred to **Alcoholic Beverage Control Committee.**

By Senators Smith of Guilford, Mathis, Stallings, Alexander, Marvin, Vickery, Sebo, Totherow, Marion, Speed, Harrington, Ballenger, Sharpe, Gray, Royall, Rauch, Henley, Jordan, Childers, Whichard, Garrison, Crawford, Harris, White, Palmer, Winters, Walker, Scott, Wynne, Alford, Allsbrook, Hardison, Smith of New Hanover, Raynor, Barnes, Daniels, Lawing, Kincaid, McDuffie, Hill, Webster, Combs, and Renfrow:

S. B. 514, a bill to amend the Constitution of North Carolina to facilitate speedy trials.

Referred to **Constitutional Amendments Committee.**

By Senators Rauch, Royall, Henley, Alexander, Popkin, Hardison, Jordan, Childers, Webster, Harris, White, Marion, Allsbrook, Alford, Speed, Renfrow, Crawford, Stallings, Lake, Raynor, Winters, Sebo, Gray, Ballenger, Swain, Smith of Guilford, Kincaid, Vickery, Davis, Wynne, Whichard, Marvin, Combs, Palmer, Hill, Harrington, Soles, Lawing, Garrison, Totherow, Walker, Sharpe, Barnes, Britt, Smith of New Hanover, Daniels, Somers, Mathis, and McDuffie:

S. B. 515, a bill prohibiting discrimination in business based upon foreign trade relationships and certain other factors.

Referred to **Finance Committee.**

By Senator Marion:

S. B. 516, a bill to prohibit operation of bicycles with helper motors during period of revocation or suspension.

Referred to **Judiciary II Committee.**

By Senators Garrison, Mathis, and Stallings:

S. B. 517, a bill to appropriate General Funds to the State Board of Education for purposes of providing transportation services to children with special needs.

Referred to **Appropriations Committee.**

By Senator Hardison:

S. B. 518, a bill to amend Chapter 143B-9 of the General Statutes relating to establishment of salaries for appointed department heads.

Referred to **State Government Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 132, Committee Substitute for **H. B. 132,** a bill to amend G. S. 105-307 to authorize tax supervisors to grant individual extensions of time for listing property.

Referred to **Finance Committee.**

H. B. 139, a bill to clarify the provisions of the Machinery Act relating to the dates as of which abstracts, payments and appeals are filed.

Referred to **Finance Committee.**

H. B. 278, a bill to amend G. S. 128-21 to render certain full-time paid volunteer firemen eligible for membership in the North Carolina Local Governmental Employee's Retirement System.

Referred to **State Government Committee.**

H. B. 595, a bill to establish the hunting hours for deer while still hunting in Pender and New Hanover Counties.

Referred to **Wildlife Committee.**

H. B. 615, a bill to prohibit the hunting of bear in Hyde County.

Referred to **Wildlife Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

SPECIAL ORDER NO. 1

S. B. 293

The hour having arrived for the consideration of Special Order No. 1, the President of the Senate lays before the Senate Special Order No. 1, it being **S. B. 293,** a bill to amend the Constitution of North Carolina to empower the voters to elect the Governor and Lieutenant Governor for two consecutive terms, upon second reading.

Senator Allsbrook offers Amendment No. 1 which fails of adoption.

Senator Allsbrook offers Amendment No. 2.

Senator Britt moves that Amendment No. 2 do lie upon the table.

Senator Allsbrook moves the Senate do now adjourn, which motion fails to prevail.

Senator Allsbrook withdraws Amendment No. 2.

Pursuant to Rule 42, the President re-refers the bill to the **Appropriations Committee.**

Senator Britt challenges the ruling of the President which he subsequently withdraws and the re-referral of the bill to the **Appropriations Committee** stands.

S. B. 307, Committee Substitute for **S. B. 307,** a bill to amend G. S. 135-4(k), relating to the repayment of retirement contributions of teachers and State employees.

On motion of Senator Whichard, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Friday, April 15.

S. B. 433, Committee Substitute for S. B. 433, a bill authorizing appointment of a Board of Equalization and Review for Transylvania County.

On motion of Senator Soles, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Friday, April 15.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 138, Committee Substitute for S. B. 138, an act to amend the authorization for wholly self-liquidating project for Elizabeth City State University that was originally enacted by Chapter 693 of the 1971 Session Laws and was amended by Chapter 692 of the 1973 Session Laws.

S. B. 139, an act to amend the authorization for wholly self-liquidating projects for North Carolina State University at Raleigh that were originally enacted by Chapter 523 of the 1973 Session Laws and were amended by Chapter 918 of the 1975 Session Laws.

S. B. 141, an act to authorize the construction and the financing, without appropriations from the General Fund, of certain capital improvements projects by constituent institutions of the University of North Carolina.

S. B. 174, Committee Substitute for S. B. 174, an act to amend 523 of the 1973 Session Laws to provide change only with respect to a project wholly self-liquidating.

S. J. R. 499, a joint resolution providing for a joint session or sessions of the Senate and House of Representatives to act on confirmation of appointments made by the Governor to membership on the North Carolina Utilities Commission.

H. B. 221, an act to amend Chapter 58 of the General Statutes to remove the limitation on the amounts of coverage of certain types of group insurance.

H. B. 389, an act to repeal G. S. 55A-86 of the General Statutes and to add new G. S. 55A-33.1 concerning action by members of nonprofit corporations without a meeting.

H. J. R. 835, a joint resolution commemorating the 201st Anniversary of the Halifax Resolves.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:30 P.M.

SIXTY-SEVENTH DAY

SENATE CHAMBER,
Thursday, April 14, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Reverend John B. Boyd, Associate Minister, First Presbyterian Church, Raleigh.

Senator Henley for the rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hardison for the **Appropriations Committee:**

S. B. 293, a bill to amend the Constitution of North Carolina to empower the voters to elect the Governor and Lieutenant Governor for two consecutive terms, with a favorable report, as amended.

On motion of Senator Hardison, the rules are suspended and the bill is placed on today's Calendar as Special Order of Business No. 1.

By Senator Stallings for the **Education Committee:**

H. B. 282, Committee Substitute for **H. B. 282**, a bill to provide for a second primary and four-year staggered terms for members of the Anson County Board of Education, and the filling of vacancies, with a favorable report.

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 255, a bill to amend Article 9 of Chapter 44 relating to liens upon recoveries for personal injuries to secure sums due for medical attention, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Allsbrook, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S. B. 345, a bill to provide for a more equitable reimbursement for the erroneous imprisonment of prisoners pardoned for innocence, with a favorable report.

On motion of Senator Allsbrook, the bill is re-referred to the **Appropriations Committee.**

By Senator Britt for the **Judiciary II Committee:**

S. B. 63, Committee Substitute for **S. B. 63,** a bill to amend the statutory provisions for notice and hearing prior to mortgage foreclosure sales to clarify ambiguities and provide for a more efficient procedure, with an unfavorable report as to Committee Substitute bill, favorable as to Committee Substitute No. 2 bill.

On motion of Senator Britt, the rules are suspended and the Committee Substitute No. 2 bill is placed on today's Calendar.

S. B. 89, a bill to provide assistance to counties for improvement of land records, with a favorable report.

S. B. 90, a bill to establish standards for land parcel identifier numbers and to authorize the creation and maintenance of land records indexes by parcel identfier numbers, with a favorable report.

S. B. 91, a bill to establish a land records management program in the Department of Administration with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Britt, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S. B. 285, a bill to regulate the possession and use of firearms on public highways, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Britt, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S. B. 418, a bill to amend G. S. 84-4.1 concerning the practice of out-of-state attorneys before the Industrial Commission, with a favorable report.

S. B. 440, a bill to remove violation of a thirty-day misdemeanor as grounds for revocation of probation, with a favorable report.

H. B. 348, Committee Substitute for **H. B. 348,** a bill to prohibit forged signatures on petitions for elections or referenda, with a favorable report.

H. B. 434, Committee Substitute for **H. B. 434,** a bill to allow the use of computer tapes in the preparation and custody of the jury list, with a favorable report.

By Senator Webster for the **Public Utilities and Energy Committee:**

S. B. 229, a bill to amend General Statutes Chapter 62 to provide for a Public Staff in the Utilities Commission to represent the using and consuming public, and to prohibit gifts to members of the Commission, Commission Staff and Public Staff, with an unfavorable report as to bill, favorable as to Committee Substitute bill, as amended.

On motion of Senator Webster, the rules are suspended and the Committee Substitute bill, as amended, is placed on today's Calendar.

H. B. 327, a bill to amend the Public Utilities Law to provide an exemption for transportation of any bona fide employees, wih a favorable report.

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H. B. 355, a bill to amend Chapter 160A of the General Statutes to authorize municipalities owning or operating electric distribution systems, municipalities engaging in joint projects and joint agencies created pursuant to Chapter 159B to engage in load management practices and to adopt peak load pricing, with a favorable report.

H. B. 417, a bill to provide for uniform and joint rates among carriers of the same class, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Lawing:

S. J. R. 519, a joint resolution commending the New York Yankees Baseball Club for its visit to North Carolina.

On motion of Senator Lawing, the rules are suspended and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Scott:

S. B. 520, a bill to amend Article 5A of Chapter 122 to provide for the involuntary commitment of persons who are mentally retarded and, because of an accompanying behavior disorder, are imminently dangerous to others.

Referred to **Human Resources Committee.**

By Senator Smith of Guilford:

S. B. 521, a bill to amend G. S. 148-45(e) to provide that a sentence for escape shall commence at termination of any other sentences.

Referred to **Judiciary II Committee.**

By Senator Smith of Guilford:

S. B. 522, a bill to amend the North Carolina Securities Act, Chapter 78A of the General Statutes, with respect to G. S. 78A-17(9), G. S. 78A-46(d) and G. S. 78A-48(a) thereof.

Referred to **Judiciary II Committee.**

By Senator Smith of Guilford:

S. B. 523, a bill to amend Chapter 391, Session Laws of 1963 to provide that the New Hanover County Board of Education shall consist of seven members.

Referred to **Local Government and Regional Affairs Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 138, Committee Substitute for **H. B. 138**, a bill to authorize county and municipal tax collectors to obtain information from the Department of Revenue to assist them in the collection of county and municipal taxes.
Referred to **Finance Committee.**

H. B. 335, Committee Substitute for **H. B. 335**, a bill to repeal the three year statute of limitations on suits to recover real property sold for nonpayment of taxes.
Referred to **Judiciary I Committee.**

H. B. 390, a bill to amend G. S. 55B-7(b) of the General Statutes for the method of disposition of stock in a professional corporation upon the death or disqualification of such shareholder.
Referred to **Judiciary I Committee.**

H. B. 435, a bill to amend the General Statutes relating to participation of regional public libraries in the Local Governmental Employees' Retirement System.
Referred to **State Government Committee.**

H. B. 637, a bill to amend Chapter 717 of the 1975 Session Laws relative to the nomination and election of members of the Wake County Board of Education.
Referred to **Local Government and Regional Affairs Committee.**

H. B. 721, a bill to amend G. S. 115-55 relative to the filling of vacancy in the office of a county or city superintendent.
Referred to **Education Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

SPECIAL ORDER NO. 1

S. B. 293

The hour having arrived for the consideration of Special Order No. 1, the President of the Senate lays before the Senate Special Order No. 1, it being **S. B. 293**, a bill to amend the Constitution of North Carolina to empower the voters to elect the Governor and Lieutenant Governor for two consecutive terms.

On motion of Senator Hardison, Committee Amendment No. 3 is adopted.

The bill, as amended, passes its second reading.

Senator Allsbrook offers Amendment No. 4 which fails of adoption.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the House of Representatives.

S. B. 63, Committee Substitute for **S. B. 63,** a bill to amend the statutory provisions for notice and hearing prior to mortgage foreclosure sales to clarify ambiguities and provide for a more efficient procedure.

On motion of Senator Britt, the Committee Substitute is adopted, and on his further motion is placed on the Calendar for Tuesday, April 26.

S. B. 91, Committee Substitute for **S. B. 91,** a bill to establish a land records management program in the Department of Administration.

On motion of Senator Britt, the Committee Substitute bill is adopted, and on his further motion is re-referred to the **Appropriations Committee.**

S. B. 187, a bill to amend and to correct omissions and internal inconsistencies in Chapter 159B of the General Statutes, upon second reading.

The bill passes its second reading by roll-call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Harrington, Henley, Hill, Jordan, Kincaid, Lake, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Soles, Somers, Speed, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 44.

The bill remains on the Calendar upon third reading.

S. B. 222, a bill to define and enlarge the corporate limits of the City of Wilmington, upon second reading.

The bill passes its second reading by roll-call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Allsbrook, Ballenger, Barnes, Britt, Childers, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 46.

The bill remains on the Calendar upon third reading.

S. B. 229, Committee Substitute for **S. B. 229,** a bill to amend General Statutes Chapter 62 to provide for a Public Staff in the Utilities Commission to represent the using and consuming public.

On motion of Senator Webster, the Committee Substitute bill, as amended, is adopted, and on his further motion is placed on the Calendar for Wednesday, April 20.

S. B. 255, Committee Substitute for **S. B. 255,** a bill to amend Article 9 of Chapter 44 relating to liens upon recoveries for personal injuries to secure sums due for medical attention.

On motion of Senator Allsbrook, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Monday, April 18.

S. B. 283, a bill to incorporate Foxfire Village in Moore County, upon second reading.

The bill passes its second reading by roll-call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Allsbrook, Ballenger, Barnes, Britt, Childers, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 46.

The bill remains on the Calendar upon third reading.

S. B. 285, Committee Substitute for S. B. 285, a bill to regulate the possession and use of firearms on public highways.

On motion of Senator Britt, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Tuesday, April 26.

S. B. 289, a bill to clarify the provisions of G. S. 20-140 and G. S. 20-138 relating to reckless driving.

Senator Kincaid offers Amendment No. 1.

Senator Swain moves that Amendment No. 1 do lie upon the table, which motion fails to prevail.

Senator Kincaid calls the previous question, duly seconded.

Amendment No. 1 offered by Senator Kincaid, is adopted.

Senator Allsbrook calls the previous question, seconded by Senator Harrington.

Senator Smith of New Hanover moves that the bill, as amended, do lie upon the table, which motion prevails and the bill, as amended, lies upon the table.

S. B. 376, a bill to correct an error in Chapter 16 of the 1977 Session Laws concerning the Commissioners of the Town of Raynham.

On motion of Senator Marion, Committee Amendments No. 1 and No. 2 are adopted.

The bill, as amended, passes its second and third readings and is orderd engrossed and sent to the House of Representatives.

S. B. 401, a bill to revise the Charter of the Town of Bolton in Columbus County.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 432, a bill to revise and consolidate the Charter of the Town of Valdese and to repeal prior local acts, upon second reading.

The bill passes its second reading by roll-call vote, ayes 45, noes 2, as follows:

Those voting in the affirmative are: Senators Alexander, Allsbrook, Ballenger, Barnes, Britt, Childers, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Lawing, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo,

Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 45.

Those voting in the negative are: Senators Kincaid and Marion — 2.

The bill remains on the Calendar upon third reading.

On motion of Senator Sharpe, consideration of the bill is postponed until Tuesday, April 19.

S. B. 455, a bill relating to raffles and the game of bingo in Wayne County.

Senator Barnes offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 456, a bill to apply to Wayne County the provisions of Section 1 of Chapter 4 of the 1971 Session Laws requiring the reporting of certain wounds, injuries or illnesses.

The bill passes its second and third readings.

Senator Davis moves that the vote by which the bill passed its third reading be reconsidered, which motion prevails.

The bill remains on the Calendar upon third reading.

S. B. 497, a bill to provide for the nomination and election of the Buncombe County Board of Education.

On motion of Senator Soles, consideration of the bill is postponed until Thursday, April 28.

H. B. 64, Committee Substitute for **H. B. 64**, a bill to amend Article 4C of Chapter 106 of the General Statutes, the Structural Pest Control Act, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Swain, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 45.

The Committee Substitute bill remains on the Calendar upon third reading.

H. B. 345, a bill to repeal Chapter 697, Session Laws of 1969, relating to a joint airport for Cities of Lincolnton and Cherryville.

The bill passes its second and third readings and is ordered enrolled.

H. B. 408, a bill to amend Chapter 159 of the General Statutes of North Carolina by providing for the application of the proceeds of refunding bonds; to permit the issuance of special obligation bonds payable solely from the proceeds of securities purchased with the proceeds of refunding bonds and special obligation refunding bonds; and to permit the private sales of certain refunding bonds, upon third reading.

The bill passes its third reading by roll-call vote, ayes 35, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Ballenger, Barnes, Britt, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Kincaid, Lake, Marion, Marvin, McDuffie, Palmer, Rauch, Renfrow, Scott, Sebo, Sharpe, Soles, Somers, Speed, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 35.

The bill is ordered enrolled.

H. B. 443, a bill to enact the North Carolina Soil Additives Act of 1977, upon second reading.

On motion of Senator White, consideration of the bill is postponed until Friday, April 15.

H. B. 483, a bill relating to the distribution of the profits from the operation of the Dare County Alcoholic Beverage Control Board.

The bill passes its second and third readings and is ordered enrolled.

H. B. 493, a bill to permit the postponement of the collection of assessments for the elderly or disabled.

The bill passes its second and third readings and is ordered enrolled.

H. B. 494, a bill amending Chapter 224 of the Private Laws of 1927 with respect to the City of Winston-Salem and County of Forsyth, upon second reading.

The bill passes its second reading by roll-call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 47.

The bill remains on the Calendar upon third reading.

H. B. 524, a bill to change the name of the Sanford-Lee County Board of Education to the Lee County Board of Education.

The bill passes its second and third readings and is ordered enrolled.

H. B. 539, a bill to provide that in Moore County pistol permits shall be issued by the sheriff, or his designated deputy and that a fee of ten dollars shall be charged for each permit, upon second reading.

On motion of Senator Soles, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading by roll-call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings,

Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 47.

The bill, as amended, remains on the Calendar upon third reading.

H. B. 557, a bill to provide for the election and term of the Board of County Commissioners of Cabarrus County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 561, a bill to reduce the membership of the Hyde County Board of Education to five and to provide for their election.

The bill passes its second and third readings and is ordered enrolled.

H. B. 562, a bill to change the name of the Town of of Earl Station to Earl.

The bill passes its second and third readings and is ordered enrolled.

H. B. 570, a bill to provide for the election of County Commissioners in Yadkin County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 577, a bill to provide that in Greene County pistol permits shall be issued by the sheriff, or his designated deputy and that a fee of five dollars shall be charged for each permit, upon second reading.

The bill passes its second reading by roll-call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 47.

The bill remains on the Calendar upon third reading.

H. B. 585, a bill to revise and consolidate the Charter of the City of Statesville and to repeal prior Charter acts, upon second reading.

On motion of Senator Soles, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading by roll-call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 47.

The bill, as amended, remains on the Calendar upon third reading.

H. B. 613, a bill to provide that the Mayor and members of the Board of Aldermen of the Town of Andrews shall be elected for a term of four years.

The bill passes its second and third readings and is ordered enrolled.

H. B. 614, a bill to change the term of the members of the Board of Commissioners and the Mayor of the Town of Hayesville to four years.

The bill passes its second and third readings and is ordered enrolled.

H. B. 640, a bill to amend Chapter 73 of the Session Laws of 1971, being the Charter of the Town of Mint Hill in Mecklenburg County, upon second reading.

The bill passes its second reading by roll-call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 47.

The bill remains on the Calendar upon third reading.

H. B. 650, a bill to revise and consolidate the Charter of the Town of Hazelwood and to repeal prior local acts, upon second reading.

The bill passes its second reading by roll-call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 47.

The bil remains on the Calendar upon third reading.

H. B. 683, a bill to amend the Charter of the Town of Chadbourn to confer certain powers upon the governing body.

The bill passes its second and third readings and is ordered enrolled.

H. B. 693, a bill to amend Chapter 649, Session Laws of 1975 to enlarge the boundaries of Pinehurst, upon second reading.

The bill passes its second reading by roll-call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 47.

The bill remains on the Calendar upon third reading.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 274, an act to amend G. S. 143-437 relating to the functions of the Pesticide Board.

H. B. 388, Committee Substitute for H. B. 388, an act to reconstitute the Department of Commerce; to transfer the Division of Economic Development from the Department of Natural and Economic Resources to the Department of Commerce; to create an Economic Development Board, and a Labor Force Development Council within the Department of Commerce; and to transfer the Science and Technology Center, the Science and Technology Committee and the North Carolina National Park, Parkway and Forest Development Council from the Department of Natural and Economic Resources to the Department of Commerce and to make necessary conforming changes in the General Statutes of North Carolina.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 9:30 A.M.

SIXTY-EIGHTH DAY

SENATE CHAMBER,
Friday, April 15, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, for the gift of a new day, and the privilege of service, we offer to Thee our Thanksgiving. We are grateful for the friends who encourage us, for our families who believe in us, for responsibilities that challenge us, and for our failures which humble us. May we be worthy of those who nourished us, and inspiring examples to those who come after us. For Thy name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators McDuffie, Lawing, Mathis, and Alexander, attending the funeral of former Speaker of the House of Representatives, the Honorable Eugene T. Bost. Leaves of absence

granted previously to Senators Garrison, Crawford, Sharpe, Somers, Lake, and Whichard are noted.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Combs for the **Wildlife Committee:**

S. B. 372, a bill to prevent the use of artificial light in areas inhabited by game in Scotland County, with a favorable report, as amended.

H. B. 455, a bill to repeal Chapter 1003 of the 1961 Session Laws prohibiting any person from hunting deer with a rifle in Richmond County, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Hardison:

S. B. 524, a bill to establish a State Fire Commission.
Referred to **State Government Committee.**

By Senator Popkin:

S. B. 525, a bill to require newspapers to charge the lowest rate for advertisements to all persons running for public office.
Referred to **Election Laws Committee.**

By Senator Henley:

S. B. 526, a bill to appropriate two hundred fifty thousand dollars for planning of a family medicine building at UNC-Chapel Hill.
Referred to **Appropriations Committee.**

By Senators Henley and Royall:

S. B. 527, a bill to amend the effective date of Chapter 123 of the Session Laws of 1975 relating to payments from the State fund for medical assistance.
Referred to **Human Resources Committee.**

By Senator Hill:

S. B. 528, a bill to appropriate funds to the Administrative Office of the Courts for two additional deputy clerks and equipment in the office of Clerk of Superior Court in Henderson County.
Referred to **Courts and Judicial Districts Committee.**

By Senator Hill:

S. B. 529, a bill to amend G. S. 7A-133 to provide an additional magistrate for Polk County.

Referred to **Local Government and Regional Affairs Committee.**

By Senators Smith of Guilford, Sharpe, and Marvin:

S. B. 530, a bill to raise the minimum term for imprisonment in the State Prison System from 30 to 180 days.

Referred to **Criminal Justice Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 301, a bill to amend the North Carolina Consumer Finance Act.

Referred to **Banking Committee.**

H. B. 571, a bill to amend G. S. 105-147 of the General Statutes relating to contributions to the Civil Air Patrol.

Referred to **Finance Committee.**

H. B. 599, a bill to amend the Charter of the Town of Scotland Neck to remove the limitation on the authority of the Board of Commissioners to compensate the mayor and members of the Board of Commissioners.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 629, a bill to authorize the Martin County Board of Education and the Martin County Board of Commissioners to sell certain property to the Methodist Church by private sale.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 642, a bill relating to the Forsyth County or City of Winston-Salem employees becoming members of the North Carolina Local Governmental Employees Retirement System.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 647, a bill to amend G. S. 128-24(4) relating to the retirement of local government employees in Guilford County.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 648, a bill to amend Chapter 704, Section 1, Session Laws of 1943 relating to funds for burial of indigents in Guilford County.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 837, a bill to provide a supplemental retirement fund for firemen in the City of Eden and to modify the application of G. S. 118-5, G. S. 118-6, and G. S. 118-7 to the City of Eden.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 849, a bill to provide for five members of the Camden County Board of Commissioners, three elected from districts and two elected at large, and providing for staggered terms of four years, subject to a referendum of the voters of the County.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 860, a bill to authorize the City of Lincolnton and the County of Lincoln to establish and operate a joint airport.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 888, a bill to authorize certain governmental units in Lincoln County to dispose of obsolete personal property.

Referred to **Local Government and Regional Affairs Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

(Senator Henley presides over a portion of today's session.)

S. B. 89, a bill to provide assistance to counties for improvement of land records.

The bill passes its second reading.

On objection of Senator Swain to its third reading the bill remains on the Calendar.

S. B. 90, a bill to establish standards for land parcel identifier numbers and to authorize the creation and maintenance of land records indexes by parcel identifier numbers.

The bill passes its second reading.

On objection of Senator Swain to its third reading the bill remains on the Calendar.

S. B. 187, a bill to amend and to correct omissions and internal inconsistencies in Chapter 159B of the General Statutes, upon third reading.

The bill passes its third reading by roll-call vote, ayes 33, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Combs, Daniels, Davis, Hardison, Harrington, Henley, Hill, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, White, Winters, and Wynne — 33.

The bill is ordered sent to the House of Representatives.

S. B. 222, a bill to define and enlarge the corporate limits of the City of Wilmington, upon third reading.

The bill passes its third reading by roll-call vote, ayes 33, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Hardison, Harrington, Henley, Hill, Kincaid, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Renfrow,

Royall, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, White, Winters, and Wynne— 33.

The bill is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 283, a bill to incorporate Foxfire Village in Moore County, upon third reading.

The bill passes its third reading by roll-call vote, ayes 33, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Hardison, Harrington, Henley, Hill, Kincaid, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Renfrow, Royall, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, White, Winters, and Wynne — 33.

The bill is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 297, a bill to amend G. S. 163-96 relative to the formation of new political parties.

On motion of Senator Harrington, consideration of the bill is postponed until Monday, April 18.

S. B. 298, a bill to clarify requirement of candidate seeking nomination by filing petition in lieu of paying filing fee.

On motion of Senator Harrington, consideration of the bill is postponed until Monday, April 18.

S. B. 307, Committee Substitute for S. B. 307, a bill to amend G. S. 135-4(k), relating to the repayment of retirement contributions of teachers and State employees.

The Committee Substitute bill passes its second reading.

On objection of Senator Allsbrook to its third reading the Committee Substitute bill remains on the Calendar.

S. B. 344, a bill to transfer the State Employee Meritorious Service Award System for employee suggestions from the State Personnel System to the Secretary of Administration.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 406, a bill to amend G. S. 66-58, which prohibits sale of merchandise by governmental units, so as to exempt farmers' markets operated by the Department of Agriculture from the provisions of said act.

On motion of Senator White, consideration of the bill is postponed until Wednesday, April 20.

S. B. 418, a bill to amend G. S. 84-4.1 concerning the practice of out-of-state attorneys before the Industrial Commission.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

Senator White requests to be recorded voting "aye."

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S. B. 427, a bill to amend Chapter 31 of the 1977 Session Laws to add Robeson County to the Wound Reporting Law.

Senator Davis offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 433, Committee Substitute for S. B. 433, a bill authorizing appointment of a Board of Equalization and Review for Transylvania County, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 35, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Hardison, Harrington, Henley, Hill, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, White, Winters, and Wynne — 35.

The Committee Substitute bill remains on the Calendar upon third reading.

S. B. 440, a bill to remove violation of a thirty-day misdemeanor as grounds for revocation of probation.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 456, a bill to apply to Wayne County the provisions of Section 1 of Chapter 4 of the 1971 Session Laws requiring the reporting of certain wounds, injuries or illnesses, upon third reading.

Senator Barnes offers Amendment No. 1 which is adopted.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the House of Representatives.

H. B. 64, Committee Substitute for H. B. 64, a bill to amend Article 4C of Chapter 106 of the General Statutes, the Structural Pest Control Act, upon third reading.

Senator Royall offers Amendment No. 1 which is adopted.

The Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 31, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Combs, Daniels, Davis, Hardison, Harrington, Henley, Hill, Marion, Marvin, Mathis, Palmer, Rauch, Renfrow, Royall, Sebo, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Vickery, Walker, White, Winters, and Wynne — 31.

The Committee Substitute bill, as amended, is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 77, Committee Substitute for H. B. 77, a bill to prohibit obstructing the administration of justice by picketing or parading.

On motion of Senator Britt, Committee Amendment No. 1 is adopted.

The Committee Substitute bill, as amended, passes its second reading.

Senator Winters objects to the third reading and on his motion the Committee Substitute bill, as amended, is placed on the Calendar for Tuesday, April 19.

H. B. 242, Committee Substitute for **H. B. 242**, a bill to create the North Carolina Bee and Honey Act of 1977.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 282, Committee Substitute for **H. B. 282**, a bill to provide for a second primary and four-year staggered terms for members of the Anson County Board of Education, and the filling of vacancies.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 327, a bill to amend the Public Utilities Law to provide an exemption for transportation of any bona fide employees.

The bill passes its second and third readings and is ordered enrolled.

H. B. 348, Committee Substitute for H. B. 348, a bill to prohibit forged signatures on petitions for elections or referenda.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 355, a bill to amend Chapter 160A of the General Statutes to authorize municipalities owning or operating electric distribution systems, municipalities engaging in joint project and joint agencies created pursuant to Chapter 159B to engage in load management practices and to adopt peak load pricing.

The bill passes its second reading.

On objection of Senator Webster to its third reading the bill remains on the Calendar.

H. B. 403, a bill to amend G. S. 14-234 to permit certain public officials to transact business with public utilities in the regular course of business.

The bill passes its second reading.

Senator Barnes objects to the third reading and on his motion the bill is placed on the Calendar for Tuesday, April 19.

H. B. 417, a bill to provide for uniform and joint rates among carriers of the same class.

The bill passes its second and third readings and is ordered enrolled.

H. B. 434, Committee Substitute for **H. B. 434**, a bill to allow the use of computer tapes in the preparation and custody of the jury list.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 443, a bill to enact the North Carolina Soil Additives Act of 1977.

The bill passes its second reading by roll-call vote, ayes 34, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Hardison, Harrington, Henley, Hill, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Vickery, Webster, White, Winters, and Wynne — 34.

The bill remains on the Calendar upon third reading.

H. B. 478, Committee Substitute for H. B. 478, a bill to make technical amendments to the election laws.

On motion of Senator Harrington, consideration of the Committee Substitute bill is postponed until Monday, April 18.

H. B. 484, a bill to make the provisions of G. S. 47-30(k), G. S. 47-32 and G. S. 47-32.2 applicable to Tyrrell County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 494, a bill amending Chapter 224 of the Private Laws of 1927 with respect to the City of Winston-Salem and County of Forsyth, upon third reading.

The bill passes its third reading by roll-call vote, ayes 34, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Hardison, Harrington, Henley, Hill, Kincaid, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Renfrow, Royall, Sebo, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, White, Winters, and Wynne — 34.

The bill is ordered enrolled.

H. B. 509, a bill to authorize certain precinct officials to assist voters in marking ballots under certain circumstances.

On motion of Senator Harrington, consideration of the bill is postponed until Monday, April 18.

H. B. 539, a bill to provide that in Moore County pistol permits shall be issued by the sheriff, or his designated deputy and that a fee of ten dollars shall be charged for each permit, as amended, upon third reading.

The bill, as amended, passes its third reading by roll-call vote, ayes 34, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Hardison, Harrington, Henley, Hill, Kincaid, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Renfrow, Royall, Sebo, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, White, Winters, and Wynne — 34.

The bill, as amended, as ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. J. R. 572, a joint resolution encouraging the Commissioner of Motor Vehicles and the Assistant Secretary of Transportation of Highway Safety to support affirmative attitudes regarding the upgrading of safety helmets for motorcycle riders.

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The joint resolution passes its second and third readings and is ordered enrolled.

H. B. 577, a bill to provide that in Greene County pistol permits shall be issued by the sheriff, or his designated deputy and that a fee of five dollars shall be charged for each permit, upon third reading.

The bill passes its third reading by roll-call vote, ayes 34, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Hardison, Harrington, Henley, Hill, Kincaid, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Renfrow, Royall, Sebo, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, White, Winters, and Wynne — 34.

The bill is ordered enrolled.

H. B. 585, a bill to revise and consolidate the Charter of the City of Statesville and to repeal prior Charter acts, as amended, upon third reading.

On motion of Senator Combs, consideration of the bill, as amended, is postponed until Monday, April 18.

H. B. 640, a bill to amend Chapter 73 of the Session Laws of 1971, being the Charter of the Town of Mint Hill in Mecklenburg County, upon third reading.

The bill passes its third reading by roll-call vote, ayes 34, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Hardison, Harrington, Henley, Hill, Kincaid, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Renfrow, Royall, Sebo, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, White, Winters, and Wynne — 34.

The bill is ordered enrolled.

H. B. 650, a bill to revise and consolidate the Charter of the Town of Hazelwood and to repeal prior local acts, upon third reading.

The bill passes its third reading by roll-call vote, ayes 34, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Hardison, Harrington, Henley, Hill, Kincaid, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Renfrow, Royall, Sebo, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, White, Winters, and Wynne — 34.

The bill is ordered enrolled.

H. B. 693, a bill to amend Chapter 649, Session Laws of 1975 to enlarge the boundaries of Pinehurst, upon third reading.

The bill passes its third reading by roll-call vote, ayes 34, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Hardison, Harrington, Henley, Hill, Kincaid, Marion, Marvin, Mathis, Palmer, Popkin, Rauch,

Renfrow, Royall, Sebo, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, White, Winters, and Wynne — 34.

The bill is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 290, an act to provide that the Mayor and members of the Board of Commissioners of the Town of Red Oak shall be elected for terms of four years.

S. B. 328, an act amending Chapter 956, Session Laws of 1957, relating to membership of the Power Board for the Town of Murphy.

S. B. 342, an act relating to the tax records of Buncombe County and the City of Asheville.

S. B. 371, an act authorizing appointment of a Board of Equalization and Review for Montgomery County.

H. B. 345, an act to repeal Chapter 697, Session Laws of 1969, relating to a joint airport for Cities of Lincolnton and Cherryville.

H. B. 408, an act to amend Chapter 159 of the General Statutes of North Carolina by providing for the application of the proceeds of refunding bonds; to permit the issuance of special obligation bonds payable solely from the proceeds of securities purchased with the proceeds of refunding bonds and special obligation refunding bonds; and to permit the private sales of certain refunding bonds.

H. B. 483, an act relating to the distribution of the profits from the operation of the Dare County Alcoholic Beverage Control Board.

H. B. 493, an act to permit the postponement of the collection of assessments for the elderly or disabled.

H. B. 524, an act to change the name of the Sanford-Lee County Board of Education to the Lee County Board of Education.

H. B. 557, an act to provide for the election and term of the Board of County Commissioners of Cabarrus County.

H. B. 561, an act to reduce the membership of the Hyde County Board of Education to five and to provide for their election.

H. B. 562, an act to change the name of the Town of Earl Station to Earl.

H. B. 570, an act to provide for the election of County Commissioners in Yadkin County.

H. B. 613, an act to provide that the Mayor and members of the Board of Aldermen of the Town of Andrews shall be elected for a term of four years.

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H. B. 614, an act to change the term of the members of the Board of Commissioners and the Mayor of the Town of Hayesville to four years.

H. B. 683, an act to amend the Charter of the Town of Chadbourn to confer certain powers upon the governing body.

On motion of Senator Henley, the Senate adjourns to meet Monday at 8:00 P.M.

SIXTY-NINTH DAY

SENATE CHAMBER,
Monday, April 18, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we are thankful that life is divided into periods of labor and rest, activity and reflection, productivity and consumption, so that in a change of pace we are refreshed and restored. As we resume our responsibilities tonight, give us renewed satisfaction in the privilege of service to our State and nation, and a determination to be found faithful to our calling. For Thy name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of Friday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Harrington for tonight and tomorrow, April 19, due to a death in the family.

The President recognizes the following pages serving in the Senate this week: Glenn Adams, Fayetteville; Stephanie Ashburn, Rural Hall; Butch Beasley, Hallsboro; Tina Bell, Mt. Olive; Catherine Carrington, Raleigh; Shelly Carrington, Pinehurst; Jan Crawford, High Point; Sanders Dallas, High Point; Darlene Davis, Havelock; Sharon Funston, Franklinton; Desdy Hill, Fayetteville; Laney Hodge, Walnut Cove; Diana Lyn Hoover, Raleigh; Wyndy Hoover, Raleigh; Donna Hunt, Pinehurst; Steve Jones, Clinton; Earl Marshall, Tarboro; Stephanie McCuiston, Raleigh; Denise McGee, Charlotte; Barry Safrit, High Point; Karen Sanders, Youngsville; Patti Sanders, Charlotte; George Shingleton, Richlands; Shannon Smith, King; and Ken Turlington, Clinton.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Harris for the **Human Resources Committee:**

S. B. 336, a bill to provide that any person who is 17 years old may donate blood without consent of parent or guardian, with a favorable report, as amended.

H. B. 383, a bill to amend G. S. 130-166.29 to extend the time period in which the local health director must forward the records to the local board of health in an appeal from an adverse decision concerning an improvement permit or certificate of completion for a ground absorption sewage system, with a favorable report.

H. B. 506, a bill to provide for four additional members on the Emergency Medical Services Advisory Council, with a favorable report.

On motion of Senator Harris, the bill is re-referred to the **Appropriations Committee.**

H. B. 531, a bill creating a Division of Aging in the Department of Human Resources and amending statutes creating the Governor's Coordinating Council on Aging, with a favorable report, as amended.

By Senator Henley for the **Rules and Operation of the Senate Committee:**

S. B. 160, a bill to amend G. S. 120-47.6 and G. S. 120-47.7 to require quarterly lobbyist reports, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Henley, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S. J. R. 452, a joint resolution honoring the life, service and memory of Alexander Hawkins Graham, former Lieutenant Governor and former member of the North Carolina General Assembly, with a favorable report.

S. J. R. 458, a joint resolution honoring Billy Ray Cameron, past Commander of North Carolina Veterans of Foreign Wars, and candidate for National Junior Vice-Commander of Veterans of Foreign Wars, with a favorable report.

H. J. R. 122, Committee Substitute for H. J. R. 122, a joint resolution to commend the public response to the energy crisis, to emphasize the continuing need for conserving energy and to urge the President to declare a national emergency and to develop a long-range national energy policy, with a favorable report.

H. J. R. 378, a joint resolution designating April 29, 30 and May 1, 1977, as Shrine Hospital Weekend in the State of North Carolina, with a favorable report.

By Senator Combs for the **Wildlife Committee:**

H. B. 515, a bill to make it unlawful to hunt with firearms from the public roads in Pitt County and Cumberland County, with a favorable report, as amended.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senators Speed, Harris, Renfrow, Alford, Wynne, Raynor, White, Ballenger, Kincaid, Barnes, McDuffie, Smith of Guilford, Alexander, Mathis, Gray, and Marvin:

S. B. 531, a bill to appropriate funds to the Department of Human Resources for fiscal years 1977-1979 to be used to increase the Foster-Care Board rate.

Referred to **Appropriations Committee.**

By Senator Combs:

S. B. 532, a bill to provide that the use of minors in sexually explicit materials shall constitute child abuse.

Referred to **Judiciary I Committee.**

By Senator Vickery:

S. B. 533, a bill governing the relationship between cities and public transportation system employees.

Referred to **Manufacturing, Labor and Commerce Committee.**

By Senators Raynor, Jordan, Harris, Webster, Speed, Sharpe, Mathis, and Stallings:

S. B. 534, a bill to allow law enforcement officers to stop persons for investigation under certain circumstances.

Referred to **Judiciary I Committee.**

By Senators Raynor, Stallings, Henley, Jordan, Kincaid, Wynne, Sebo, Harris, Daniels, Winters, Lake, Renfrow, McDuffie, and Palmer:

S. B. 535, a bill to appropriate funds to the State Board of Education to be used for the purpose of providing a continuation of compensation to driver education personnel and for the purpose of adjusting the salaries of driver education personnel.

Referred to **Appropriations Committee.**

By Senators Raynor, Stallings, Garrison, Harrington, Walker, Popkin, Jordan, Britt, Harris, Barnes, Henley, Hardison, Lawing, Sharpe, Speed, Marvin, Lake, Webster, Mathis, Whichard, Winters, Wynne, Renfrow, McDuffie, Sebo, Daniels, and Palmer:

S. B. 536, a bill to create a study commission to determine the best method for State, counties and cities to furnish liability insurance coverage for law enforcement officers.

Referred to **Law Enforcement and Crime Control Committee.**

By Senators Vickery, Davis, and McDuffie:

S. B. 537, a bill to amend G. S. 105-446.3 to provide motor fuel tax refunds for private nonprofit transportation service and taxicabs.

Referred to **Finance Committee.**

By Senators White and Allsbrook:

S. J. R. 538, a joint resolution commending and congratulating the Town of Tarboro upon its selection as an "All-American" City.

On motion of Senator White, the rules are suspended and the joint resolution is placed on the Calendar for tonight.

By Senators Lake, Renfrow, Marion, Raynor, Wynne, and Henley:

S. B. 539, a bill to provide for the civil abatement of nuisances including obscene matter.

Referred to **Judiciary I Committee.**

By Senator Davis:

S. B. 540, a bill to amend G. S. 36-23.2(a1) relative to amendment of trust to meet the requirements of Section 2055(e)(2)(A) of the Internal Revenue Code of 1954.

Referred to **Judiciary II Committee.**

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. J. R. 951, a joint resolution commending and congratulating the Town of Tarboro upon its selection as an "All American" City.

On motion of Senator White, the rules are suspended, and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second and third readings and is ordered enrolled.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 163, Committee Substitute for H. B. 163, a bill to authorize the City of Wilson to enact and enforce ordinances regulating the planting, maintenance, and removal of trees on public areas and rights-of-way and for the

pruning, treatment and removal of trees on private property which endanger public health, safety or welfare within the City of Wilson.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 428, a bill to amend Chapter 473 of the Session Laws of 1975 relating to the Charter of the Town of Chapel Hill.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 479, a bill to amend G. S. 20-183.10 relative to weight station personnel.

Referred to **State Government Committee.**

H. B. 685, a bill to amend G. S. 148-19 to direct the Commission for Mental Health Services to prescribe standards for the delivery of mental health services to inmates in the custody of the Department of Correction.

Referred to **Human Resources Committee.**

H. B. 686, Committee Substitute for H. B. 686, a bill to amend G. S. 148-22(b) to allow for increased cooperation between the Department of Correction and other public and private agencies in order to improve the delivery of mental health services to inmates of the Department of Correction.

Referred to **Human Resources Committee.**

H. B. 743, Committee Substitute for **H. B. 743,** a bill to amend Chapter 385 of the Public-Local laws of 1921, relating to pensions for school teachers of New Hanover County.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 781, a bill to amend Chapter 180 of the Session Laws of 1975 entitled "Charter for the City of Morganton."

Referred to **Local Government and Regional Affairs Committee.**

H. B. 809, a bill relating to the election of the County Board of Education of Macon County.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 821, a bill to repeal the highway laws relating to the disposal of surplus material derived from grading.

Referred to **Transportation Committee.**

H. B. 822, a bill to amend G. S. 136-72 to clarify the authority for establishing the maximum safe load carrying capacity of bridges on the State highway system.

Referred to **Transporation Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 89, a bill to provide assistance to counties for improvement of land records, upon third reading.

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On motion of Senator Swain, consideration of the bill is postponed until Wednesday, April 20.

S. B. 90, a bill to establish standards for land parcel identifier numbers and to authorize the creation and maintenance of land records indexes by parcel identifier numbers, upon third reading.

On motion of Senator Swain, consideration of the bill is postponed until Wednesday, April 20.

S. B. 160, Committee Substitute for S. B. 160, a bill to amend G. S. 120-47.6 and G. S. 120-47.7 to require biannual lobbyist reports, and to make other changes in Article 9A of G. S. Chapter 120.

On motion of Senator Henley, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Wednesday, April 20.

S. B. 255, Committee Substitute for S. B. 255, a bill to amend Article 9 of Chapter 44 relating to liens upon recoveries for personal injuries to secure sums due for medical attention.

The Committee Substitute bill passes its second reading.

On objection of Senator Smith of New Hanover to its third reading the Committee Substitute bill remains on the Calendar.

S. B. 307, Committee Substitute for S. B. 307, a bill to amend G. S. 135-4(k), relating to the repayment of retirement contributions of teachers and State employees, upon third reading.

The Committee Substitute bill passes its third reading and is ordered sent to the House of Representatives.

S. B. 372, a bill to prevent the use of artificial light in areas inhabited by game in Scotland County.

On motion of Senator Combs, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 433, Committee Substitute for S. B. 433, a bill authorizing appointment of a Board of Equalization and Review for Transylvania County, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Whichard, White, Winters, and Wynne — 44.

The Committee Substitute bill is ordered sent to the House of Representatives.

S. J. R. 538, a joint resolution commending and congratulating the Town of Tarboro upon its selection as an "All-American" City.

On motion of Senator White, the joint resolution is postponed indefinitely.

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H. B. 355, a bill to amend Chapter 160A of the General Statutes to authorize municipalities owning or operating electric distribution systems, municipalities engaging in joint project and joint agencies created pursuant to Chapter 159B to engage in load management practices and to adopt peak load pricing, upon third reading.

The bill passes its third reading and is ordered enrolled.

H. B. 443, a bill to enact the North Carolina Soil Additives Act of 1977, upon third reading.

The bill passes its third reading by roll-call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Totherow, Vickery, Walker, Whichard, White, Winters, and Wynne — 45.

The bill is ordered enrolled.

H. B. 455, a bill to repeal Chapter 1003 of the 1961 Session Laws prohibiting any person from hunting deer with a rifle in Richmond County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 585, a bill to revise and consolidate the Charter of the City of Statesville and to repeal prior Charter acts, as amended, upon third reading.

Senator Combs offers Amendment No. 2 which is adopted.

The bill, as amended, passes its third reading by roll-call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Whichard, White, Winters, and Wynne — 45.

The bill, as amended, is ordered sent to the House of Representatives for concurrence in the Senate amendments.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 198, an act to delete the requirement that a formed P.O.W. have entered service from North Carolina in order to qualify for a P.O.W. license plate.

S. B. 294, an act to amend Chapter 127A, Article 15 relating to the North Carolina National Guard Tuition Assistance Act of 1975.

S. B. 309, an act to amend Chapter 127A, Article 3 of the General Statutes relating to National Guard citations.

S. B. 322, an act to amend the subsections of Chapter 127A of the General Statutes relating to the award of State military medals and decorations.

H. B. 282, Committee Substitute for H. B. 282, an act to provide for a second primary and four-year staggered terms for members of the Anson County Board of Education, and the filling of vacancies.

H. B. 327, an act to amend the Public Utilities Law to provide an exemption for transportation of any bonda fide employees.

H. B. 348, Committee Substitute for H. B. 348, an act to prohibit forged signatures on petitions for elections or referenda.

H. B. 417, an act to provide for uniform and joint rates among carriers of the same class.

H. B. 434, Committee Substitute for H. B. 434, an act to allow the use of computer tapes in the preparation and custody of the jury list.

H. B. 484, an act to make the provisions of G. S. 47-30(k), G. S. 47-32 and G. S. 47-32.2 applicable to Tyrrell County.

H. B. 494, an act amending Chapter 224 of the Private Laws of 1927 with respect to the City of Winston-Salem and County of Forsyth.

H. J. R. 572, a joint resolution encouraging the Commissioner of Motor Vehicles and the Assistant Secretary of Transportation of Highway Safety to support affirmative attitudes regarding the upgrading of safety helmets for motorcycle riders.

H. B. 577, an act to provide that in Greene County pistol permits shall be issued by the sheriff, or his designated deputy and that a fee of five dollars shall be charged for each permit.

H. B. 640, an act to amend Chapter 73 of the Session Laws of 1971, being the Charter of the Town of Mint Hill in Mecklenburg County.

H. B. 650, an act to revise and consolidate the Charter of the Town of Hazelwood and to repeal prior local acts.

H. B. 693, an act to amend Chapter 649, Session Laws of 1975 to enlarge the boundaries of Pinehurst.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:30 P.M.

SEVENTIETH DAY

SENATE CHAMBER,
Tuesday, April 19, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we are thankful that we have the privilege not only of representing the people, but of providing instruction for them regarding the serious issues of our time. May we never be satisfied with merely reflecting the views of our constituents, but may we also provide the information to them upon which intelligent decisions can be made, remembering that we have access to facts and figures which are not available to them. So, in the awareness that we are both leaders and legislators, may we carry on our work. For Thy name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

A leave of absence granted previously to Senator Harrington is noted.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 165, a bill to permit criminal prosecution upon the initial dissemination of obscene materials, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Allsbrook, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S. B. 199, a bill to amend Chapter 84 of the General Statutes of North Carolina relating to attorneys, with a favorable report.

By Senator McDuffie for the **Transportation Committee:**

S. B. 379, a bill to extend to counties the power presently granted to cities to borrow money and issue general obligation bonds to pay capital cost for providing public transportation systems, with a favorable report.

On motion of Senator McDuffie, the bill is re-referred to the **Finance Committee.**

S. B. 380, a bill to amend Article 2B of G. S. Chapter 136 by changing the term "mass transportation" to "public transportation" and by authorizing the administration of State programs relating to public transportation, with a favorable report.

H. B. 472, a bill to provide for use of transporter plates by house trailer or mobile home movers, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Lawing:

S. B. 541, a bill to delete the continuing education requirement for renewal of a podiatry license.
Referred to **Human Resources Committee.**

By Senator Wynne:

S. B. 542, a bill to fund the Student Theatre Guild, Inc., of North Carolina.
Referred to **Appropriations Committee.**

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. B. 585

HOUSE OF REPRESENTATIVES
April 19, 1977

Mr. President:

It is ordered that a message be sent to your Honorable Body with the information that the House fails to concur in the Senate Amendment No. 1 to H. B. 585, a bill to revise and consolidate the Charter of the City of Statesville and to repeal prior Charter acts, (the House concurs in Senate Amendment No. 2 to H. B. 585) and requests conferees. The Speaker has appointed Representatives Huskins, McMillan, and Greenwood on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,
GRACE A. COLLINS
Principal Clerk

Senator Ballenger moves that the President appoint conferees, which motion prevails. The President appoints Senators Soles as Chairman, Ballenger, and Combs as conferees on the part of the Senate and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 409, a bill to authorize the Joint Legislative Commission of Governmental Operations to issue subpoenas and administer oaths to individuals other than State officials, and to amend the procedures for punishment for contempt before a legislative committee.

Referred to **Rules and Operation of the Senate Committee.**

H. B. 430, a bill to provide for traffic control authority to religious organizations and assemblies on property owned or leased.

Referred to **Judiciary I Committee.**

H. B. 523, a bill to increase the membership of the Guilford County Board of Education from five to seven members.

Referred to **Education Committee.**

H. J. R. 617, a joint resolution honoring Archie Travers Lane, Sr., a former member of the North Carolina General Assembly and distinguished citizen.

Referred to **Rules and Operation of the Senate Committee.**

H. B. 646, a bill to amend G. S. 143-129 and G. S. 143-131 to increase the minimum dollar amount for which formal and informal bids are required.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 677, a bill to amend Chapter 161 of the General Statutes to increase the fee for furnishing certified copies of birth and death certificates and marriage licenses from one dollar to two dollars.

Referred to **Finance Committee.**

H. B. 700, a bill to incorporate the Town of Rutherford College in Burke County, North Carolina.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 709, a bill to authorize the Camden County Board of Commissioners to enter into a lease of a certain parcel of real property owned by the County for a term of up to 99 years.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 724, a bill to authorize the Town of Carrboro to purchase insurance to protect its officers, agents or employees against liability for damages caused by their wrongful acts or omissions performed within the scope of their duties.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 741, a bill to revise and consolidate the Charter of the City of Wilmington.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 777, a bill authorizing appointment of a Board of Equalization and Review for Anson County.

Referred to **Local Government and Regional Affairs Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 165, Committee Substitute for **S. B. 165**, a bill to permit criminal prosecution upon initial violation of obscenity laws that relate to minors and non-consenting adults.

On motion of Senator Allsbrook, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Thursday, April 21.

S. B. 255, Committee Substitute for **S. B. 255**, a bill to amend Article 9 of Chapter 44 relating to liens upon recoveries for personal injuries to secure sums due for medical attention, upon third reading.

Senator Whichard offers Amendment No. 1 which is adopted.

The Committee Substitute bill, as amended, passes its third reading and is ordered engrossed and sent to the House of Representatives.

S. B. 297, a bill to amend G. S. 163-96 relative to the formation of new political parties.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 298, a bill to clarify requirement of candidate seeking nomination by filing petition in lieu of paying filing fee.

The bill passes its second reading.

On objection of Senator Hardison to its third reading the bill remains on the Calendar.

S. B. 336, a bill to provide that any person who is 17 years old may donate blood without consent of parent or guardian.

On motion of Senator Harris, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 432, a bill to revise and consolidate the Charter of the Town of Valdese and to repeal prior local acts, upon third reading.

On motion of Senator Kincaid, the bill is recommitted to the **Local Government and Regional Affairs Committee.**

S. J. R. 452, a joint resolution honoring the life, service and memory of Alexander Hawkins Graham, former Lieutenant Governor and former member of the North Carolina General Assembly.

The joint resolution passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. J. R. 458, a joint resolution honoring Billy Ray Cameron, past Commander of North Carolnia Veterans of Foreign Wars, and candidate for National Junior Vice-Commander of Veterans of Foreign Wars.

The joint resolution passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

H. B. 77, Committee Substitute for H. B. 77, a bill to prohibit obstructing the administration of justice by picketing or parading, as amended, upon third reading.

Senator Allsbrook moves that the bill, as amended, do lie upon the table, which motion fails to prevail.

The Committee Substitute bill, as amended, passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. J. R. 122, Committee Substitute for H. J. R. 122, a joint resolution to commend the public response to the energy crisis, to emphasize the continuing need for conserving energy and to urge the President to declare a national emergency and to develop a long-range national energy policy.

The Committee Substitute joint resolution passes its second and third readings and is ordered enrolled.

H. J. R. 378, a joint resolution designating April 29, 30, and May 1, 1977, as Shrine Hospital Weekend in the State of North Carolina.

The joint resolution passes its second and third readings and is ordered enrolled.

H. B. 383, a bill to amend G. S. 130-166.29 to extend the time period in which the local health director must forward the records to the local board of health in an appeal from an adverse decision concerning an improvement permit or certificate of completion for a ground absorption sewage system.

The bill passes its second and third readings and is ordered enrolled.

H. B. 403, a bill to amend G. S. 14-234 to permit certain public officials to transact business with public utilities in the regular course of business, upon third reading.

Senator Smith of Guilford offers Amendment No. 1 which is adopted.

The bill, as amended, passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate Amendment No. 1.

H. B. 478, Committee Substitute for H. B. 478, a bill to make technical amendments to the election laws.

On motion of Senator McDuffie, consideration of the Committee Substitute bill is postponed until Tuesday, April 26.

H. B. 509, a bill to authorize certain precinct officials to assist voters in marking ballots under certain circumstances.

On motion of Senator Allsbrook, consideration of the bill is postponed until Tuesday, April 26.

H. B. 515, a bill to make it unlawful to hunt with firearms from the public roads in Pitt County and Cumberland County.

On motion of Senator Combs, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate Amendment No. 1.

H. B. 531, a bill creating a Division of Aging in the Department of Human Resources and amending statutes creating the Governor's Coordinating Council on Aging.

On motion of Senator Harris, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate Amendment No. 1.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 202, an act to amend G. S. 55A-15(a)(8) of the General Statutes and to add new G. S. 55A-17.1, G. S. 55A-17.2, and G. S. 55A-17.3 concerning indemnification of officers and directors of nonprofit corporations.

S. B. 283, an act to incorporate Foxfire Village in Moore County.

H. B. 64, Committee Substitute for H. B. 64, an act to amend Article 4C of Chapter 106 of the General Statutes, the Structural Pest Control Act.

H. B. 355, an act to amend Chapter 160A of the General Statutes to authorize municipalities owning or operating electric distribution systems, municipalities engaging in joint project and joint agencies created pursuant to Chapter 159B to engage in load management practices and to adopt peak load pricing.

H. B. 443, an act to enact the North Carolina Soil Additives Act of 1977.

H. B. 455, an act to repeal Chapter 1003 of the 1961 Session Laws prohibiting any person from hunting deer with a rifle in Richmond County.

H. B. 539, an act to provide that in Moore County pistol permits shall be issued by the sheriff, or his designated deputy and that a fee of ten dollars shall be charged for each permit.

H. J. R. 951, a joint resolution commending and congratulating the Town of Tarboro upon its selection as an "All American" City.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:30 P.M.

SEVENTY-FIRST DAY

SENATE CHAMBER,
Wednesday, April 20, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Reverend Ted Janes, Pastor of Ridge Road Baptist Church, Raleigh as follows:

"Let us address God as if we believe He is interested in every affair of our lives and every debate and decision engaged upon in this room.

"Pause for silent prayer, each pray about your own needs and decisions.

"Father, we thank You for the feeling within us of Your concern for our thoughts, attitudes and decisions. Give to those who speak and act here today the courage to speak and act as if they believe it is important to desire the leadership of God. Create in this room the hope and the belief that there may be a transformation of at least some aspects of social, intellectual and cultural life under the impact of the leadership of persons who try to apply the principles of Your love and justice to daily life. Give realism in conversation here regarding the destructiveness of which persons and governments are capable and give quiet confidence to those who believe their faith commitment to You has meaning for the activity of politicians as they seek to bring the best and most constructive forms of government to our State. Grant that Christian realism may be so influential here that resources for understanding and making political decisions may be readily available as persons recognize the potential for creative work in the world by those in whom love and goodwill reside. Thus, as persons leave at the conclusion of this Session, grant to them the feeling that they have offered wise counsel and decisions, as God and the crises of our world have come together in their minds and actions. Broaden Your influence in this difficult and demanding world, Father, through those who serve in this Senate. Amen."

The President grants leaves of absence to Senator Scott for tomorrow and Friday, April 21 and 22, and to Senator Stallings for tomorrow and Friday, April 21 and 22, to attend an Educational Conference.

The President appoints, to represent the Senate, the following delegation to attend the funeral services of Carl J. Stewart, Sr., father of the Honorable Carl J. Stewart, Jr., Speaker of the House of Representatives: Senators Marvin, Rauch, and Harris.

H. B. 167, Committee Substitute for **H. B. 167**, a bill to amend G. S. 105-141 to exempt from gross income unemployment benefits.

On motion of Senator Childers, the rules are suspended, and the Committee Substitute bill is taken from the **Manufacturing, Labor and Commerce Committee** and re-referred to the **Finance Committee.**

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rauch for the **Finance Committee:**

S. J. R. 111, a joint resolution urging the Employment Security Commission to issue Form 1099 information returns to recipients of unemployment compensation, with a favorable report.

H. B. 270, a bill to amend the laws relating to costs in civil actions, with a favorable report.

H. B. 566, a bill to amend Article 12 of Chapter 131 of the General Statutes of North Carolina to provide that bonds issued by a hospital authority and the interest thereon are exempt from State and local taxation, with a favorable report.

By Senator Wynne for the **Higher Education Committee:**

S. B. 149, a bill to amend G. S. 116-143 to prohibit State universities from collecting fees for the use of lobbying organizations, with an unfavorable report.

By Senator Totherow for the **Insurance Committee:**

S. B. 151, a bill to provide improved access by insurance guaranty associations to the assets of insolvent insurers, to establish priorities for the distribution of assets of insolvent insurers, and to provide a premium tax offset in lieu of recoupment in rates for insurers paying assessments pursuant to Guaranty Association Statutes, with a favorable report.

On motion of Senator Totherow, the bill is re-referred to the **Finance Committee.**

S. B. 260, a bill to provide a limit on liability of the Association and to provide a premium tax offset for insurers paying assessments pursuant to the Life and Accident and Health Insurance Guaranty Association Act, with a favorable report.

On motion of Senator Totherow, the bill is re-referred to the **Finance Committee.**

By Sentaor Britt for the **Judiciary II Committee:**

S. B. 349, a bill to amend G. S. 1-223 relating to judgements against married women in civil actions by extending it to apply to any married person, with a favorable report.

S. B. 351, a bill to amend G. S. 7A-104 relating to certain disqualifications of the clerk of court by changing the term "wife" to "spouse", with a favorable report, as amended.

S. B. 352, a bill to amend the law relating to testimony of a married person whose spouse brings an action for criminal conversation, with a favorable report.

S. B. 354, a bill to rewrite G. S. 14-46 relating to concealing the birth of a child, with a favorable report.

S. B. 356, a bill to amend G. S. 20-187.2 by changing the term "widow" to "surviving spouse", with a favorable report.

S. B. 357, a bill to amend G. S. 23-18 by changing the term "wife" to "spouse", with a favorable report.

S. B. 358, a bill to require any person acknowledging paternity to do so during the child's lifetime, for purposes of intestate succession, with a favorable report.

S. B. 359, a bill to rewrite G. S. 29-21 and G. S. 29-22 to recognize inheritance rights of the father of an illegitimate intestate as provided for in G. S. 29-19, with a favorable report.

S. B. 360, a bill to amend the law relating to parents' right to dispose of custody and tuition of minor children by will, with a favorable report.

S. B. 361, a bill to amend G. S. 33-67 by changing the term "mother" to "other parent", with a favorable report.

S. B. 362, a bill to make miscellaneous changes in G. S. Chapter 51 relating to marriage, with a favorable report, as amended.

S. B. 363, a bill to remove sex discriminatory provisions from G. S. Chapter 94 relating to apprenticeship, with a favorable report.

H. B. 72, Committee Substitute for H. B. 72, a bill to repeal the Motor Vehicle Habitual Offender Statutes, with a favorable report.

H. B. 392, a bill to require special tests for persons wishing to be licensed to operate a motorcycle, with a favorable report.

By Senator Soles for the **Local Government and Regional Affairs Committee:**

S. B. 385, a bill to authorize municipalities to create public transportation authorities, with a favorable report.

S. B. 399, a bill to standardize size of maps presented for recordation in Onslow County, with a favorable report.

S. B. 505, a bill to provide that the Topsail Beach Town Commissioners hereafter serve staggered terms, with a favorable report.

S. B. 507, a bill to authorize the City of Kinston and the County of Lenoir to sell or lease tracts of land by private negotiation, with a favorable report.

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S. B. 508, a bill to place Randolph County under G. S. 44-51.8 relating to attachment or garnishment for ambulance service in certain counties, with a favorable report.

H. B. 436, a bill to make the law enforcement officers of the Village of Pinehurst eligible for membership in the Law Enforcement Officers' Benefit and Retirement Fund and for social security benefits under Article 2, Chapter 135 of the General Statutes, with a favorable report.

H. B. 461, a bill to revise and consolidate the Charter of the Town of North Wilkesboro and to repeal prior local acts, with a favorable report.

H. B. 554, a bill to authorize the Council of the City of High Point, North Carolina, to appoint park rangers and lake wardens, with a favorable report.

H. B. 555, a bill to amend Chapter 691 of the 1975 Session Laws, as amended, relating to the pension fund of the retirement and disability of members of the Police Department of the City of High Point, with a favorable report.

H. B. 556, a bill to make changes in the Civil Service Commission, and the duties of the City Manager of the City of High Point, with a favorable report.

H. B. 623, a bill to amend Chapter 657 of the 1975 Session Laws to provide for the election and runoff election method of election and to permit the use of absentee ballots in elections for the Durham County Board of Education, with a favorable report.

H. B. 641, a bill to authorize the Forsyth County Board of Commissioners to extend the tax-listing period for the year 1977, with a favorable report.

H. B. 642, a bill relating to the Forsyth County or City of Winston-Salem employees becoming members of the North Carolina Local Governmental Employees Retirement System, with a favorable report.

H. B. 659, a bill authorizing the Charlotte City Council to appropriate funds annually to Carolinas' Carrousel, Incorporated from nontax revenue, with a favorable report.

H. B. 673, a bill to define the term "subdivision" for Cherokee County, with a favorable report.

H. B. 684, a bill to provide that the Charlotte-Mecklenburg Board of Education may pay its ten-month employees on or before the tenth of each month, with a favorable report.

H. B. 687, a bill amending the Charter of the City of Durham to authorize the city clerk to appoint and suspend or remove subordinate employees, with a favorable report.

H. B. 695, a bill to allow the Davidson County Board of Commissioners to establish a scholarship fund in memory of Dennis Franklin Spinnett and Robert Glenn Crawford, with a favorable report.

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H. B. 698, a bill to authorize the Town of Kenansville in Duplin County to sell or lease a tract of land by private negotiation, with a favorable report.

H. B. 713, a bill to redefine the duties of the Black Mountain Town Attorney, with a favorable report.

H. B. 717, a bill to permit the compensation and expense allowances of members of the Davidson County Board of Education to be fixed by the Board, with a favorable report.

H. B. 723, a bill to authorize the Town of Carrboro to exercise all of the authority given to cities and towns with respect to planning and regulation of development by Article 19 of Chapter 160A of the General Statutes, with a favorable report.

H. B. 755, a bill to provide that in the selection of Boards of Alcoholic Control for Gates and Hertford Counties only those members of the Gates/Hertford District Board of Health from Gates County shall vote on appointments to the Gates County Alcoholic Control Board and only those members from Hertford County shall vote on appointments to the Hertford County Alcoholic Control Board, with a favorable report.

By Senator Speed for the **Natural and Economic Resources Committee:**

S. B. 475, a bill to amend G. S. 139-28 to increase the possible term of years for watershed district debts, with a favorable report.

On motion of Senator Speed, the bill is re-referred to the **Finance Committee.**

S. B. 476, a bill to repeal G. S. 146-6.1 requiring registration of earth-moving equipment in the coastal area, with a favorable report.

On motion of Senator Speed the bill is re-referred to the **Finance Committee.**

S. B. 477, a bill to provide that the proceeds from the sale of State park lands shall be deposited with the State Treasurer to the credit of the Department of Administration to be used for the purchase of park lands, with a favorable report.

S. B. 481, a bill to amend G. S. 139-7 to change pertinent dates in the appointment of soil and water conservation districts' supervisors, with a favorable report.

By Senator Whichard for the **State Government Committee:**

S. B. 54, a bill to transfer the Office of Intergovernmental Relations to the Department of Natural and Economic Resources, without prejudice.

On motion of Senator Whichard, the rules are suspended and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 327, a bill to establish the Grassroots Arts Program within the Department of Cultural Resources and to appropriate funds for this program, with a favorable report.

On motion of Senator Whichard, the bill is re-referred to the **Appropriations Committee.**

S. B. 335, a bill to expand the Youth Advisory Council and to provide for the terms of members of the Council, with a favorable report.

On motion of Senator Whichard, the bill is re-referred to the **Appropriations Committee.**

S. B. 518, a bill to amend Chapter 143B-9 of the General Statutes relating to establishment of salaries for appointed department heads, with a favorable report, as amended.

On motion of Senator Whichard, the bill is re-referred to the **Appropriations Committee.**

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senators Smith of Guilford, Lawing, Barnes, and Hill:

S. B. 543, a bill to amend G. S. 105-357(a) relating to the payment of ad valorem taxes.

Referred to **Finance Committee.**

By Senator Hill:

S. B. 544, a bill to amend Article 7A of Chapter 54 of the General Statutes, relating to mutual deposit guaranty associations.

Referred to **Banking Committee.**

By Senators Hill and Renfrow:

H. B. 545, a bill to empower personal representatives to make elections of certain personal and household effects for federal tax purposes.

Referred to **Finance Committee.**

By Senators Hill and Renfrow:

S. B. 546, a bill to conform State income tax provisions relative to child care expenses to the provisions of the Internal Revenue Code.

Referred to **Finance Committee.**

By Senators Hill and Renfrow:

S. B. 547, a bill to conform the replacement period involuntarily converted real property held for productive use or investment, for State income tax purposes, to that provided for federal income tax purposes.

Referred to **Finance Committee.**

By Senators Hill and Renfrow:

H. B. 548, a bill to provide tax incentives to encourage preservation of historic structures.

Referred to **Finance Committee.**

By Senators Hill and Renfrow:

S. B. 549, a bill to conform the State income tax treatment of alimony to that provided under the Internal Revenue Code.

Referred to **Finance Committee.**

By Senators Royall and Whichard:

S. B. 550, a bill to appropriate funds to the Granville County Historical Society for its Historical Site.

Referred to **Appropriations Committee.**

By Senators Hill, Sebo, Marvin, Walker, Palmer, Kincaid, Lawing, Smith of Guilford, Rauch, and Allsbrook:

S. B. 551, a bill to prohibit the service by members of the General Assembly on non-legislative boards, commissions and administrative councils of the executive departments of State government.

Referred to **State Government Committee.**

By Senator Scott:

S. J. R. 552, a joint resolution fixing time and place for a joint session of the Senate and House of Representatives to nominate candidates for the Board of Governors of the University of North Carolina.

On motion of Senator Scott, the rules are suspended and the joint resolution is placed on the Calendar for today.

By Senator Sebo:

S. B. 553, a bill to appropriate one million eight hundred sixty-eight thousand five hundred ninety-two dollars to the Department of Human Resources for fiscal years 1977-1979 to be used to increase the medically needy income eligibility levels in the North Carolina Medicaid Program under Title XIX of the Social Security Act.

Referred to **Appropriations Committee.**

By Senator Sebo:

S. B. 554, a bill to provide a credit for child care cost for income tax purposes in substantial conformity with Federal law.

Referred to **Finance Committee.**

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

April 20, 1977

H. B. 77, Committee Substitute for H. B. 77

HOUSE OF REPRESENTATIVES
April 20, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate amendment to Committee Substitute for H. B. 77, a bill to prohibit obstructing the administration of justice by picketing or parading, and requests conferees. The Speaker has appointed Representatives Helms, Frye, and Hairston on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,
GRACE A. COLLINS
Principal Clerk

Senator Britt moves that the President appoint conferees, which motion prevails. The President appoints Senators Allsbrook, Alexander, and Britt as conferees on the part of the Senate and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 852, a bill to amend the law regulating the manner of taking deer to make it applicable to Dare County.

Referred to Wildlife Committee.

H. J. R. 969, a joint resolution fixing time and place for a joint session of the Senate and House of Representatives to nominate candidates for the Board of Governors of the University of North Carolina.

On motion of Senator Scott, the rules are suspended, and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second and third readings and is ordered enrolled.

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 89, a bill to provide assistance to counties for improvement of land records, upon third reading.

The bill passes its third reading and is ordered sent to the House of Representatives.

S. B. 90, a bill to establish standards for land parcel identifier numbers and to authorize the creation and maintenance of land records indexes by parcel identifier numbers, upon third reading.

The bill passes its third reading and is ordered sent to the House of Representatives.

S. B. 160, a bill to amend G. S. 120-47.6 and G. S. 120-47.7 to require biannual lobbyist reports, and to make other changes in Article 9A of G. S. Chapter 120.

On motion of Senator Rauch, the Committee Substitute bill is re-referred to the **Finance Committee.**

S. B. 229, Committee Substitute for **S. B. 229,** a bill to amend General Statutes Chapter 62 to provide for a Public Staff in the Utilities Commission to represent the using and consuming public.

On motion of Senator Webster, Committee Amendment No. 1. is adopted.

Senator Lake offers Amendment No. 2 which is adopted.

The Committee Substitute bill, as amended, passes its second reading.

On objection of Senator Webster to its third reading the Committee Substitute bill, as amended, remains on the Calendar with an engrossed working copy ordered.

S. B. 298, a bill to clarify requirement of candidate seeking nomination by filing petition in lieu of paying filing fee, upon third reading.

The bill passes its third reading and is ordered sent to the House of Representatives.

S. B. 380, a bill to amend Article 2B of G. S. Chapter 136 by changing the term "mass transportation" to "public transportation" and by authorizing the administration of State programs relating to public transportation.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 406, a bill to amend G. S. 66-58, which prohibits sale of merchandise by governmental units, so as to exempt farmers' markets operated by the Department of Agriculture from the provisions of said act.

Senator Royall offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. J. R. 552, a joint resolution fixing time and place for a joint session of the Senate and House of Representatives to nominate candidates for the Board of Governors of the University of North Carolina.

On motion of Senator Scott, the joint resolution is postponed indefinitely.

H. B. 472, a bill to provide for use of transporter plates by house trailer or mobile home movers.

On motion of Senator McDuffie, the bill is re-referred to the **Finance Committee.**

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. J. R. 122, Committee Substitute for H. J. R. 122, a joint resolution to commend the public response to the energy crisis, to emphasize the continuing need for conserving energy and to urge the President to declare a national emergency and to develop a long-range national energy policy.

H. B. 242, Committee Substitute for H. B. 242, an act to create the North Carolina Bee and Honey Act of 1977.

H. J. R. 378, a bill designating April 29, 30 and May 1, 1977, as Shrine Hospital Weekend in the State of North Carolina.

H. B. 383, an act to amend G. S. 130-166.29 to extend the time period in which the local health director must forward the records to the local board of health in an appeal from an adverse decision concerning an improvement permit or certificate of completion for a ground absorption sewage system.

On motion of Senator Henley, the Senate adjourns in memory of Carl J. Stewart, Sr., father of the Honorable Carl J. Stewart, Jr., Speaker of the House of Representatives, to meet tomorrow at 1:30 P.M.

SEVENTY-SECOND DAY

SENATE CHAMBER,
Thursday, April 21, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, may we not complain when we are called upon to make sacrifices for our country, remembering that so much of what we enjoy today is a result of the sacrifices made by our forefathers in the years that are past. Help us to remember, too, that scarcity seems to produce stronger characters than does abundance. May we therefore do whatever we have to do, not so much in resignation, but rather in hope and anticipation. And to Thee shall be the praise. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Mathis for today and to Senators Somers, Kincaid, and Mathis for tomorrow, Friday, April 22. Leaves of absence granted previously to Senators Stallings and Scott are noted.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Lawing for the **Banking Committee:**

S. B. 233, a bill to amend G. S. 159-30(c)(5) to allow investment of idle funds of local governments in savings and loan associations as long as investments are fully secured, with a favorable report.

On motion of Senator Lawing, the rules are suspended and the bill is placed before the Senate for immediate consideration and on his further motion is placed on the Calendar for Monday, April 25.

S. B. 509, a bill to rewrite G. S. 54-21.2(b) allowing State-chartered savings and loan associations to make any loans or investments permitted to federal savings and loan associations, with a favorable report, as amended.

S. B. 510, a bill to authorize savings and loan associations to employ such methods of loan repayment as shall be prescribed by the Administrator of the Savings and Loan Division, with a favorable report, as amended.

By Senator Rauch for the **Finance Committee:**

S. B. 515, a bill prohibiting discrimination in business based upon foreign trade relationships and certain other factors, with a favorable report, as amended.

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 263, a bill to amend G. S. 93-12 to increase the educational requirement and broaden the work experience requirement, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Allsbrook, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

By Senator Speed for the **Natural and Economic Resources Committee:**

S. B. 182, a bill relating to retirement service credits withdrawn by Marine Fisheries Enforcement Officers of the Department of Natural and Economic Resources, with a favorable report, as amended.

On motion of Senator Speed, the rules are suspended and the bill is placed before the Senate for immediate consideration and on his further motion Committee Amendment No. 1 is adopted.

On motion of Senator Speed, the bill, as amended, is re-referred to the **Appropriations Committee.**

S. B. 482, a bill to repeal G. S. 141-7, which designates North Carolina's southern lateral seaward boundary with South Carolina, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Vickery:

S. B. 555, a bill to appropriate funds to the Legislative Services Commission to provide sets of the General Statutes for every member of the General Assembly, and to appropriate funds to the Office of the Lieutenant Governor to provide a set of General Statutes.

Referred to **Appropriations Committee.**

By Senator Raynor:

S. B. 556, a bill to amend G. S. 14-72 to make larceny of a prescription blank a felony.

Referred to **Judiciary I Committee.**

By Senator Raynor:

S. B. 557, a bill to amend Chapter 90, by adding a new G. S. 90-108.13 entitled unauthorized possession of a blank prescription form.

Referred to **Judiciary I Committee.**

By Senator Totherow:

S. B. 558, a bill relating to the charges or interest which may be charged with respect to open-end accounts.

Referred to **Banking Committee.**

By Senators Hardison and Henley:

S. R. 559, a Senate resolution amending the permanent Rules of the 1977 Senate.

Referred to **Rules and Operation of the Senate Committee.**

By Senator Marion:

S. B. 560, a bill to appropriate funds for the preservation of buildings owned or leased by the Rockford Preservation Society, Inc., in the Town of Rockford, Surry County.

Referred to **Appropriations Committee.**

By Senator Popkin:

S. B. 561, a bill to regulate and require public disclosure of certain records of labor unions.

Referred to **Manufacturing, Labor and Commerce Committee.**

By Senators White, Palmer, Speed, Renfrow, Harrington, Scott, Hardison, Hill, and Whichard:

S. B. 562, a bill to amend certain sections of the North Carolina Milk Commission Law.

Referred to **Agriculture Committee.**

By Senators White and Hardison:

S. B. 563, a bill to re-create a State Farm Operations Commission within the Department of Agriculture.

Referred to **Agriculture Committee.**

By Senators Sharpe and Combs:

S. B. 564, a bill to amend Chapter 7A to validate all official actions of district court judges of the 25th Judicial District performed after mandatory retirement age.

Referred to **Courts and Judicial Districts Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 489, Committee Substitute for H. B. 489, a bill to amend Article V of the Constitution of North Carolina to authorize municipalities owning or operating electric systems and joint agencies composed of such municipalities to jointly or severally own, operate and maintain electric generation and transmission facilities with any person, firm, association or corporation, public or private, engaged in the generation, transmission or distribution of electric power and energy for resale within this State or any contiguous state, and to issue revenue bonds to finance the cost thereof, subject to the approval of the electorate.

Referred to **Constitutional Amendments Committee.**

H. B. 526, a bill to amend G. S. 44A-12(c) relating to the form on which all claims of lien must be filed.

Referred to **Judiciary I Committee.**

H. J. R. 952, a bill fixing the time and place for a Joint Session of the Senate and House of Representatives to act on confirmation of appointments made by the Governor to membership on the State Board of Education.

Referred to **Education Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. J. R. 111, a joint resolution urging the Employment Security Commission to issue Form 1099 information returns to recipients of unemployment compensation.

The joint resolution passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 165, Committee Substitute for S. B. 165, a bill to permit criminal prosecution upon initial violation of obscenity laws that relate to minors and non-consenting adults.

The Committee Substitute bill passes its second reading.

On objection of Senator Rauch to its third reading the Committee Substitute bill remains on the Calendar.

S. B. 229, Committee Substitute for S. B. 229, a bill to amend General Statutes Chapter 62 to provide for a Public Staff in the Utilities Commission to represent the using and consuming public, as amended, upon third reading.

Senator Webster offers Amendment No. 3 which is adopted. The call is sustained.

Senator Webster calls the previous question, duly seconded.

The Committee Substitute bill, as amended, passes its third reading, and is ordered engrossed and sent to the House of Representatives.

S. B. 263, Committee Substitute for S. B. 263, a bill to amend G. S. 93-12 to increase the educational requirement and broaden the work experience requirement.

On motion of Senator Allsbrook, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Monday, April 25.

S. B. 349, a bill to amend G. S. 1-223 relating to judgement against married women in civil actions by extending it to apply to any married person.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

Senator Somers requests to be recorded voting "no."

S. B. 351, a bill to amend G. S. 7A-104 relating to certain disqualifications of the clerk of court by changing the term "wife" to "spouse."

On motion of Senator Britt, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading.

Senator Harris objects to the third reading of the bill, as amended, and on his further motion the bill, as amended, is placed on the Calendar for Wednesday, April 27.

S. B. 352, a bill to amend the law relating to testimony of a married person whose spouse brings an action for criminal conversation.

The bill passes its second reading.

Senator Harris objects to the third reading of the bill and on his motion the bill is placed on the Calendar for Wednesday, April 27.

S. B. 354, a bill to rewrite G. S. 14-46 relating to concealing the birth of a child.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 356, a bill to amend G. S. 20-187.2 by changing the term "widow" to "surviving spouse."

The bill passes its second reading.

Senator Somers requests to be recorded voting "no."

Senator Harris objects to the third reading of the bill and on his motion the bill is placed on the Calendar for Wednesday, April 27.

S. B. 357, a bill to amend G. S. 23-18 by changing the term "wife" to "spouse."

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 358, a bill to require any person acknowledging paternity to do so during the child's lifetime, for purposes of intestate succession.

The bill passes its second reading.

Senator Harris objects to the third reading of the bill and on his motion the bill is placed on the Calendar for Wednesday, April 27.

S. B. 359, a bill to rewrite G. S. 29-21 and G. S. 29-22 to recognize inheritance rights of the father of an illegitimate intestate as provided for in G. S. 29-19.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 360, a bill to amend the law relating to parents' right to dispose of custody and tuition of minor children by will.

The bill passes its second reading.

Senator Harris objects to the third reading of the bill and on his motion the bill is placed on the Calendar for Wednesday, April 27.

S. B. 361, a bill to amend G. S. 33-67 by changing the term "mother" to "other parent."

The bill passes its second reading.

Senators Somers and Harris request to be recorded as voting "no."

Senator Harris objects to the third reading of the bill and on his motion the bill is placed on the Calendar for Wednesday, April 27.

S. B. 362, a bill to make miscellaneous changes in G. S. Chapter 51 relating to marriage.

On motion of Senator Britt, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading.

Senator Harris objects to the third reading of the bill, as amended, and on his motion the bill, as amended, is placed on the Calendar for Wednesday, April 27.

S. B. 363, a bill to remove sex discriminatory provisions from G. S. Chapter 94 relating to apprenticeship.

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The bill passes its second reading.

Senator Harris objects to the third reading of the bill and on his motion the bill is placed on the Calendar for Wednesday, April 27.

S. B. 385, a bill to authorize municipalities to create Public Transportation Authorities.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 399, a bill to standardize size of maps presented for recordation in Onslow County.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 447, a bill to require numbering of sailboats with hulls longer than fourteen feet.

On motion of Senator Speed, the bill is re-referred to the **Appropriations Committee.**

S. B. 481, a bill to amend G. S. 139-7 to change pertinent dates in the appointment of soil and water conservation districts' supervisors.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 505, a bill to provide that the Topsail Beach Town Commissioners hereafter serve staggered terms.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 507, a bill to authorize the City of Kinston and the County of Lenoir to sell or lease tracts of land by private negotiation.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 508, a bill to place Randolph County under G. S. 44-51.8 relating to attachment or garnishment for ambulance service in certain counties.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 72, Committee Substitute for H. B. 72, a bill to repeal the Motor Vehicle Habitual Offender Statutes.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 270, a bill to amend the laws relating to costs in civil actions.

The bill passes its second and third readings and is ordered enrolled.

H. B. 392, a bill to require special tests for persons wishing to be licensed to operate a motorcycle.

Senator Britt calls the previous question, duly seconded. The call is sustained.

The bill passes its second reading.

Senator Daniels objects to the third reading of the bill and on his motion the bill is placed on the Calendar for Tuesday, April 26.

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H. B. 436, a bill to make the law enforcement officers of the Village of Pinehurst eligible for membership in the Law Enforcement Officers' Benefit and Retirement Fund and for social security benefits under Article 2, Chapter 135 of the General Statutes.

The bill passes its second and third readings and is ordered enrolled.

H. B. 461, a bill to revise and consolidate the Charter of the Town of North Wilkesboro and to repeal prior local acts, upon second reading.

The bill passes its second reading by roll-call vote, ayes 39, noes 0, as follows:

Those voting in affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Lake, Lawing, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Swain, Totherow, Webster, Whichard, White, and Wynne — 39.

The bill remains on the Calendar upon third reading.

H. B. 554, a bill to authorize the Council of the City of High Point, North Carolina, to appoint park rangers and lake wardens.

The bill passes its second and third readings and is ordered enrolled.

H. B. 555, a bill to amend Chapter 691 of the 1975 Session Laws, as amended, relating to the pension fund of the retirement and disability of members of the Police Department of the City of High Point.

The bill passes its second and third readings and is ordered enrolled.

H. B. 556, a bill to make changes in the Civil Service Commission, and the duties of the City Manager of High Point.

The bill passes its second and third readings and is ordered enrolled.

H. B. 566, a bill to amend Article 12 of Chapter 131 of the General Statutes of North Carolina to provide that bonds issued by a hospital authority and the interest thereon are exempt from State and local taxation.

On motion of Senator Rauch, consideration of the bill is postponed until Friday, April 22.

H. B. 623, a bill to amend Chapter 657 of the 1975 Session Laws to provide for the election and runoff election method of election and to permit the use of absentee ballots in elections for the Durham County Board of Education.

The bill passes its second and third readings and is ordered enrolled.

H. B. 641, a bill to authorize the Forsyth County Board of Commissioners to extend the tax-listing period for the year 1977.

The bill passes its second and third readings and is ordered enrolled.

H. B. 642, a bill relating to the Forsyth County or City of Winston-Salem employees becoming members of the North Carolina Local Governmental Employees Retirement System.

The bill passes its second and third readings and is ordered enrolled.

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H. B. 659, a bill authorizing the Charlotte City Council to appropriate funds annually to Carolinas' Carrousel, Incorporated from nontax revenue.

The bill passes its second and third readings and is ordered enrolled.

H. B. 673, a bill to define the term "subdivision" for Cherokee County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 684, a bill to provide that the Charlotte-Mecklenburg Board of Education may pay its ten-month employees on or before the tenth of each month.

The bill passes its second and third readings and is ordered enrolled.

H. B. 687, a bill amending the Charter of the City of Durham to authorize the city clerk to appoint and suspend or remove subordinate employees.

The bill passes its second and third readings and is ordered enrolled.

H. B. 695, a bill to allow the Davidson County Board of Commissioners to establish a scholarship fund in memory of Dennis Franklin Spinnett and Robert Glenn Crawford.

The bill passes its second and third readings and is ordered enrolled.

H. B. 698, a bill to authorize the Town of Kenansville in Duplin County to sell or lease a tract of land by private negotiation.

The bill passes its second and third readings and is ordered enrolled.

H. B. 713, a bill to redefine the duties of the Black Mountain Town Attorney.

The bill passes its second and third readings and is ordered enrolled.

H. B. 717, a bill to permit the compensation and expense allowances of members of the Davidson County Board of Education to be fixed by the Board.

The bill passes its second and third readings and is ordered enrolled.

H. B. 723, a bill to authorize the Town of Carrboro to exercise all of the authority given to cities and towns with respect to planning and regulation of development by Article 19 of Chapter 160A of the General Statutes.

The bill passes its second and third readings and is ordered enrolled.

H. B. 755, a bill to provide that in the selection of Boards of Alcoholic Control for Gates and Hertford Counties only those members of the Gates/Hertford District Board of Health from Gates County shall vote on appointments to the Gates County Alcoholic Control Board and only those members from Hertford County shall vote on appointments to the Hertford County Alcoholic Control Board.

The bill passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

April 21, 1977

H. B. 403, an act to amend G. S. 14-234 to permit certain public officials to transact business with public utilities in the regular course of business.

H. B. 515, an act to make it unlawful to hunt with firearms from the public roads in Cumberland, Pitt, and Polk Counties.

H. B. 531, an act creating a Division of Aging in the Department of Human Resources and amending statutes creating the Governor's Coordinating Council on Aging.

H. J. R. 969, a joint resolution fixing time and place for a joint session of the Senate and House of Representatives to nominate candidates for the Board of Governors of the University of North Carolina.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 10:00 A.M.

SEVENTY-THIRD DAY

SENATE CHAMBER,
Friday, April 22, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"O God, the Creator of all things that exist, and the Sustainer of all mankind, hear us as we turn to Thee for those gifts so much needed in the performance of our duties. Give us the ability to question our own conclusions as well as those reached by others; and may we be able to draw a distinction between our immediate reactions and our more considered decisions. For Thy name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Harris and McDuffie, for today and also to Senator Whichard, speaking at the North Carolina Academy of Science regarding the work of the North Carolina Land Policy Council. A leave of absence is granted to Senator Gray for Monday and Tuesday, April 25 and 26. Leaves of absence granted previously to Senators Scott, Stallings, Somers, Kincaid, and Mathis are noted.

The President extends courtesies of the floor to Jack Lindsay, member of the Fayetteville-Cumberland County Youth Council, elected Governor for Youth Involvement Day.

April 22, 1977

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Raynor for the **Law Enforcement and Crime Control Committee:**

S. B. 277, a bill to establish a Benefit and Retirement Fund for law enforcement officers to supersede the existing law Enforcement Officers' Benefit and Retirement Fund maintained under G. S. 143-166, with a favorable report, as amended.

S. B. 536, a bill to create a study commission to determine the best method for State, counties and cities to furnish liability insurance coverage for law enforcement officers, with a favorable report, as amended.

On motion of Senator Raynor, the rules are suspended and the bill is placed before the Senate for immediate consideration, and on his further motion Committee Amendment No. 1 is adopted.

On motion of Senator Raynor, the bill, as amended, is re-referred to the **Appropriations Committee.**

H. B. 402, a bill to provide full salary for two years for State Highway Patrolmen injured in the line of duty, with a favorable report.

By Senator Speed for the **Natural and Economic Resources Committee:**

S. B. 483, a bill to provide that certain rules of the Environmental Management Commission shall be filed with the Attorney General as provided by Chapter 150A of the General Statutes, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Whichard:

S. B. 565, a bill to amend Article 9 of G. S. Chapter 113A so as to take account of actions by the State Land Policy Council pursuant to said Article and to carry out recommendations of that Council.

Referred to **Natural and Economic Resources Committee.**

By Senators Davis, Alexander, Lake, Totherow, Wynne, Sebo, Gray, Winters, Popkin, Renfrow, Sharpe, Webster, Raynor, Marion, Harrington, Britt, Daniels, Vickery, Smith of Guilford, Palmer, Soles, Smith of New Hanover, Hill, Swain, and Garrison:

S. B. 566, a bill to establish a State Council for the Hearing Impaired and Community Services to the Hearing Impaired.

Referred to **Human Resources Committee.**

By Senators Walker, Garrison, Stallings, Royall, Sebo, Gray, Hill, Henley, Marvin, Britt, Popkin, Mathis, Kincaid, Hardison, Vickery, Sharpe, Soles, Marion, Swain, Palmer, Smith of New Hanover, Harrington, Alexander, Lake, Totherow, Scott, Harris, Allsbrook, Barnes, Daniels, Lawing, Renfrow, Crawford, Winters, Davis, Raynor, Combs, White, Speed, Smith of Guilford, Childers, Wynne, Jordan, Whichard, Webster, Rauch, Alford, and Ballenger:

S. J. R. 567, a joint resolution recognizing National Secretaries' Week and honoring secretaries throughout the State.

Referred to **Rules and Operation of the Senate Committee.**

By Senators Walker, Vickery, and Raynor:

S. B. 568, a bill to amend G. S. 7A-273 relating to the power of magistrates in criminal actions relating to worthless checks.

Referred to **Judiciary I Committee.**

By Senator Garrison:

S. B. 569, a bill to make amendments to the Motor Vehicle Dealers and Manufacturers Licensing Law.

Referred to **Manufacturing, Labor and Commerce Committee.**

By Senator Garrison:

S. B. 570, a bill to amend the license tax applicable to motor vehicle dealers.

Referred to **Finance Committee.**

By Senator Whichard:

S. B. 571, a bill to amend Article 5A of Chapter 122 of the General Statutes to provide legal representation for the interests of the petitioner in involuntary commitment proceedings by the district attorney or a private attorney appointed by the administrative office of the courts.

Referred to **Judiciary I Committee.**

By Senators Lake, Raynor, Renfrow, and Allsbrook:

S. B. 572, a bill to amend Chapter 62 of the General Statutes to restate and clarify the declaration of policy of the State for regulation of public utilities.

Referred to **Public Utilities and Energy Committee.**

By Senators Lake, Raynor, Renfrow, and Allsbrook:

S. B. 573, a bill to amend Chapter 62 of the General Statutes to provide an expeditious procedure for appeal of decisions of the Utilities Commission to the Supreme Court.

Referred to **Public Utilities and Energy Committee.**

By Senators Lake, Raynor, Renfrow, Allsbrook, and White:

S. B. 574, a bill to amend Chapter 62 of the General Statutes to clarify procedures for construction, determining need for and type of new electric generation facilities.

Referred to **Public Utilities and Energy Committee.**

By Senators Lake, Renfrow, Raynor, and Allsbrook:

S. B. 575, a bill to amend Chapter 62 of the General Statutes to restate and clarify the procedure for fixing public utility rates.

Referred to **Public Utilities and Energy Committee.**

By Senators Lake, Raynor, Renfrow, and Allsbrook:

S. B. 576, a bill to amend Chapter 62 of the General Statutes to require a hearing by the Commission in all general rate cases, and to establish a procedure for temporary emergency rate relief.

Referred to **Public Utilities and Energy Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 76, Committee Substitute for **H. B. 76,** a bill to amend General Statutes Chapter 7A to provide counsel in the Court's discretion to indigent parties in a proceeding for the termination of parental rights.

Referred to **Courts and Judicial Districts Committee.**

H. B. 166, Committee Substitute for **H. B. 166,** a bill to amend the statutory provisions for notice and hearing prior to mortgage foreclosure sales to clarify ambiguities and provide for a more efficient procedure.

Referred to **Judiciary I Committee.**

H. B. 564, a bill authorizing appointment of a Board of Equalization and Review for Union County.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 670, a bill to amend the Charter of the City of Fayetteville concerning insurance death benefits of City employees.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 725, a bill to amend Chapter 1151, Session Laws of 1949 to provide staggered terms of four years for the Board of County Commissioners of Hyde County.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 752, a bill to require maps filed in Onslow County, pursuant to G. S. 47-30, to be 18 inches by 24 inches.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 761, a bill to amend Chapter 591 of the 1953 Session Laws to allow the registration of maps made of different materials in Caswell County.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 763, a bill to amend the 1927 Session Laws to permit the election of Yanceyville Sanitary District Board Members in staggered terms.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 816, a bill authorizing the establishment of mass transit districts in Gaston County.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 820, a bill to provide for the transfer of permanent registration plates.

Referred to **Judiciary I Committee.**

H. B. 863, a bill to provide for election of members of the Goldsboro City Board of Education and to fix their terms of office.

Referred to **Education Committee.**

H. B. 866, a bill to amend G. S. 105-466(b) to provide that the Board of County Commissioners may levy a sales tax after notice and public hearing if an election under G. S. 105-465 has not been held within five years.

Referred to **Finance Committee.**

H. B. 953, a bill to amend Chapter 497 of the 1965 Session Laws relating to Commissioners for the Town of Denton.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 955, a bill to control the setting of annexation dates for the City of Raleigh.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 959, a bill amending Chapter 209 of the Session Laws of 1973, which provided a supplemental retirement fund for firemen in the City of Lincolnton.

Referred to **Local Government and Regional Affairs Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 165, Committee Substitute for **S. B. 165,** a bill to permit criminal prosecution upon initial violation of obscenity laws that relate to minors and non-consenting adults, upon third reading.

Senator Combs offers Amendment No. 1 which is adopted.

The Committee Substitute bill, as amended, passes its third reading and is ordered engrossed and sent to the House of Representatives.

S. B. 482, a bill to repeal G. S. 141-7, which designates North Carolina's southern lateral seaward boundary with South Carolina.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 509, a bill to rewrite G. S. 54-21.2(b) allowing State-chartered savings and loan associations to make any loans or investments permitted to federal savings and loan associations.

On motion of Senator Lawing, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading.

On objection of Senator Popkin to its third reading the bill, as amended, remains on the Calendar.

S. B. 510, a bill to authorize savings and loan associations to employ such methods of loan repayment as shall be prescribed by the Administrator of the Savings and Loan Division.

On motion of Senator Lawing, Committee Amendment No. 1 is adopted.

Senator Hill calls the previous question, duly seconded.

The bill, as amended, passes its second reading.

Senator Hill objects to the third reading of the bill, as amended, and on his motion the bill, as amended, is placed on the Calendar for Tuesday, April 26.

S. B. 515, a bill prohibiting discrimination in business based upon foreign trade relationships and certain other factors.

On motion of Senator Rauch, Committee amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

H. B. 461, a bill to revise and consolidate the Charter of the Town of North Wilkesboro and to repeal prior local acts, upon third reading.

The bill passes its third reading by roll-call vote, ayes 35, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Henley, Hill, Jordan, Lake, Lawing, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Soles, Speed, Swain, Totherow, Vickery, Walker, Webster, White, Winters, and Wynne — 35.

The bill is ordered enrolled.

H. B. 566, a bill to amend Article 12 of Chapter 131 of the General Statutes of North Carolina to provide that bonds issued by a hospital authority and the interest thereon are exempt from State and local taxation, upon second reading.

On motion of Senator Rauch, consideration of the bill is postponed until Tuesday, April 26.

On motion of Senator Henley, the Senate adjourns to meet Monday at 8:00 P.M.

SEVENTY-FOURTH DAY

SENATE CHAMBER,
Monday, April 25, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Reverend Wallace E. Parham, Associate Pastor, Hayes-Barton Baptist Church, Raleigh.

Senator Royall for the Rules and Operation of the Senate Committee announces that the Journal of Friday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Henley for tonight. A leave of absence granted previously to Senator Gray is noted.

The President grants courtesies of the floor to the Honorable William W. Staton, former Senator from Lee County.

The President recognizes the following pages serving in the Senate this week: Al Bain, Lillington; Harold Beaty, Madison; Caroline Chavasse, Raleigh; Carmen Crutchfield, Raleigh; Beth Fleming, Morganton; Lisa Herndon, Kings Mountain; Beth Hobgood, Jacksonville; John Horton, Winston-Salem; Jennifer Ingram, Raleigh; Johnny Johnson, Wilson; Steve Meacham, Charlotte; Sherri Mears, Jacksonville; Garland Powell, Mount Airy; Susan Smith, Raleigh; Michele Swicegood, Arden; Kelly Williams, Wingate; Patti Worden, Hope Mills; Dana Wynne, Raleigh; and Angelika Yearman, Hope Mills.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Britt for the **Judiciary II Committee:**

S. B. 442, a bill to amend Chapter 929 of the 1975 Session Laws relating to the commitment of noncriminal juvenile offenders to juvenile institutions for delinquents, with a favorable report.

S. B. 516, a bill to prohibit operation of bicycles with helper motors during period of revocation or suspension, with a favorable report, as amended.

H. B. 517, a bill to amend G. S. 25-9-403(3) concerning financing statements, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Garrison:

S. B. 577, a bill to permit the creation of county water and sewer districts, the issuance of the bonds and notes of such districts, and the levy of taxes within such districts.

Referred to **Finance Committee.**

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. B. 566

HOUSE OF REPRESENTATIVES
April 25, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body requesting the return of House Bill 566, a bill to be entitled an act to amend Article 12 of Chapter 131 of the General Statutes of North Carolina to provide that bonds issued by a hospital authority and the interest thereon are exempt from State and local taxation, for further consideration by the House of Representatives.

Respectfully,
GRACE A. COLLINS
Principal Clerk

On motion of Senator Rauch the bill is taken from the Calendar for Tuesday, April 26, and returned to the House of Representatives for further consideration.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 205, a bill to provide for annual testing in the public schools in order to assess the effectiveness of the educational process.

Referred to **Education Committee.**

H. B. 328, a bill to amend G. S. 20-4.01 to omit carpools and vanpools from the classification of "for-hire passenger vehicles."

Referred to **Transportation Committee.**

H. B. 464, a bill to grant the City of Greenville additional powers of assessments.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 501, Committee Substitute for **H. B. 501,** a bill to require pawnbrokers to keep detailed records of all transactions.

Referred to **Banking Committee.**

H. B. 549, Committee Substitute for **H. B. 549,** a bill to amend G. S. 18A-16 to provide for the selection of the members of Martin County ABC Board by the Board of County Commissioners.

Referred to **Alcoholic Beverage Control Committee.**

H. B. 605, a bill to amend the Charter of the Town of Rolesville to provide for the election of the Mayor and Board of Commissioners.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 624, a bill to expand the Youth Advisory Council and to provide for the terms of members of the Council.

Referred to **State Government Committee.**

H. B. 760, a bill requiring the payment of delinquent taxes in Caswell County before recording deeds conveying property subject to delinquent taxes.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 786, a bill to delete Alleghany County from the "no closed season" provisions of G. S. 113-111.

Referred to **Wildlife Committee.**

H. B. 798, a bill to incorporate the Town of Rennert in Robeson County.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 819, a bill to provide for the use of semi-permanent plates for pick-up trucks, motorcycles and trailers to be renewed by use of renewal stickers.

Referred to **Transportation Committee.**

H. B. 825, a bill to authorize counties and cities to provide defense counsel for members of volunteer fire departments and rescue squads which receive public funds.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 957, a bill to delete Alamance County from the provisions of Chapter 729 of the 1901 Session Laws.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 958, a bill to incorporate the Town of Dortches in Nash County.

Referred to **Local Government and Regional Affairs Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

April 25, 1977

S. B. 233, a bill to amend G. S. 159-30(c)(5) to allow investment of idle funds of local governments in savings and loan associations as long as investments are fully secured.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 263, Committee Substitute for S. B. 263, a bill to amend G. S. 93-12 to increase the educational requirement and broaden the work experience requirement.

On motion of Senator Allsbrook, the Committee Substitute bill is recommitted to the **Judiciary I Committee.**

S. B. 277, a bill to establish a Benefit and Retirement Fund for law enforcement officers to supersede the existing Law Enforcement Officers' Benefit and Retirement Fund maintained under G. S. 143-166, upon second reading.

On motion of Senator Raynor, Committee Amendments No. 1, No. 2, and No. 3 are adopted.

On motion of Senator Barnes, consideration of the bill, as amended, is postponed until Thursday, April 28.

S. B. 483, a bill to provide that certain rules of the Environmental Management Commission shall be filed with the Attorney General as provided by Chapter 150A of the General Statutes.

On motion of Senator Speed, consideration of the bill is postponed until Wednesday, April 27.

S. B. 509, a bill to rewrite G. S. 54-21.2(b) allowing State-chartered savings and loan associations to make any loans or investments permitted to federal savings and loan associations, as amended, upon third reading.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the House of Representatives.

H. B. 402, a bill to provide full salary for two years for State Highway Patrolmen injured in the line of duty.

On motion of Senator Raynor, the bill is re-referred to the **Appropriations Committee.**

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 323, an act renaming Cedar Cliff, located in Haywood County, as Ferguson Mountain.

S. B. 433, Committee Substitute for S. B. 433, an act authorizing appointment of a Board of Equalization and Review for Transylvania County.

H. B. 72, Committee Substitute for H. B. 72, an act to repeal the Motor Vehicle Habitual Offender Statutes.

H. B. 270, an act to amend the laws relating to costs in civil actions.

H. B. 436, an act to make the law enforcement officers of the Village of Pinehurst eligible for membership in the Law Enforcement Officers' Benefit and Retirement Fund and for social security benefits under Article 2, Chapter 135 of the General Statutes.

H. B. 461, an act to revise and consolidate the Charter of the Town of North Wilkesboro and to repeal prior local acts.

H. B. 554, an act to authorize the Council of the City of High Point, North Carolina, to appoint park rangers and lake wardens.

H. B. 555, an act to amend Chapter 691 of the 1975 Session Laws, As Amended, relating to the pension fund of the retirement and disability of members of the Police Department of the City of High Point.

H. B. 556, an act to make changes in the Civil Service Commission, and the duties of the City Manager of the City of High Point.

H. B. 623, an act to amend Chapter 657 of the 1975 Session Laws to provide for the election and runoff election method of election and to permit the use of absentee ballots in elections for the Durham County Board of Education.

H. B. 641, an act to authorize the Forsyth County Board of Commissioners to extend the tax-listing period for the year 1977.

H. B. 642, an act relating to the Forsyth County or City of Winston-Salem employees becoming members of the North Carolina Local Governmental Employees Retirement System.

H. B. 659, an act authorizing the Charlotte City Council to appropriate funds annually to Carolinas' Carrousel, Incorporated from nontax revenue.

H. B. 673, an act to define the term "subdivision" for Cherokee County.

H. B. 684, an act to provide that the Charlotte-Mecklenburg Board of Education may pay its ten-month employees on or before the tenth of each month.

H. B. 687, an act amending the Charter of the City of Durham to authorize the city clerk to appoint and suspend or remove subordinate employees.

H. B. 695, an act to allow the Davidson County Board of Commissioners to establish a scholarship fund in memory of Dennis Franklin Spinnett and Robert Glenn Crawford.

H. B. 698, an act to authorize the Town of Kenansville in Duplin County to sell or lease a tract of land by private negotiation.

H. B. 713, an act to redefine the duties of the Black Mountain Town Attorney.

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H. B. 717, an act to permit the compensation and expense allowances of members of the Davidson County Board of Education to be fixed by the Board.

H. B. 723, an act to authorize the Town of Carrboro to exercise all of the authority given to cities and towns with respect to planning and regulation of development by Article 19 of Chapter 160A of the General Statutes.

H. B. 755, an act to provide that in the selection of Boards of Alcoholic Control for Gates and Hertford Counties only those members of the Gates/ Hertford District Board of Health from Gates County shall vote on appointments to the Gates County Alcoholic Control Board and only those members from Hertford County shall vote on appointments to the Hertford County Alcoholic Control Board.

On motion of Senator Royall, the Senate adjourns to meet tomorrow at 1:20 P.M.

SEVENTY-FIFTH DAY

SENATE CHAMBER,
Tuesday, April 26, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Reverend Don Beaty, Minister of Madison Methodist Church, Madison as follows:

"Our Heavenly Father, we thank Thee that Thou art guiding the lives of men and nations. We pray that Thou wilt enable us to be more perceptive and open to Thy will for our lives, and give us the trust and courage to translate it into action. Bless with Thy love and presence these our brothers and sisters as they seek to serve Thee and our fellow citizens as members of this legislative body. May much lasting good be accomplished through their labors. We ask in Thy Holy Name. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Jordan for today. A leave of absence granted previously to Senator Gray is noted.

On motion of Senator Henley, courtesies of the floor are extended to Mrs. Alice Green, wife of the Honorable James C. Green, Lieutenant Governor.

H. J. R. 969, a joint resolution fixing time and place for a Joint Session of the Senate and House of Representtaives to nominate candidates for the Board of Governors of the University of North Carolina.

The hour having arrived, the President orders a Special Message sent to the House of Representatives informing that Honorable Body that the Senate stands ready to repair to the Hall of the House to sit in Joint Session.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. J. R. 969

HOUSE OF REPRESENTATIVES
April 26, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that pursuant to **H. J. R. 969**, "a joint resolution fixing time and place for a Joint Session of the Senate and House of Representatives to nominate candidates for the Board of Governors of the University of North Carolina," the House of Representatives stands ready to receive the Senate in Joint Session at the hour appointed.

Respectfully,
GRACE A. COLLINS
Principal Clerk

On motion of Sentor Henley and pursuant to **H. J. R. 969**, the Senate recesses to meet in Joint Session with the House of Representatives for the purpose of nominating candidates for the University of North Carolina Board of Governors and upon dissolution to return to the Senate Chamber to resume consideration of business.

JOINT SESSION

The Senate is received by the members of the House of Representatives standing, and the Joint Session is called to order by Lieutenant Governor James C. Green.

The Clerk of the Senate calls the roll of the Senate and the following members answer the call: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Hardison, Harrington, Harris, Henley, Hill, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, and Wynne — 47.

The Clerk of the House of Representatives calls the roll of the House of Representatives and the following members answer the call: Speaker Stewart, Representatives Adams, Auman, Baker, Barbee, Barker, Beard, Bell, Brennan, Bright, Brubaker, Bumgardner, Bundy, Campbell, Chapin, Chase, Church, Clarke, Collins, Cook, Creech, Cullipher, Davenport, DeBruhl, DeRamus, Diamont, Dorsey, Duncan, Easterling, Economos, Edwards, Ellis,

Enloe, Erwin, Ezzell, Falls, Farmer, Foster, Frye, Fulcher, Gamble, Gardner, Gentry, Gilmore, Grady, Gregory, Greenwood, Griffin, Hairston, Hall, Harris of Lee, Harris of Alamance, Helms, Hightower, Holmes, Holroyd, Holt of Alamance, Holt of Cumberland, Hunt, Hunter, Hurst, Huskins, Hux, James, Jerngian, Johnson of Wake, Johnson of Robeson, Jones, Kaplan, Lachot, Lambeth, Lilley, Locklear, Lutz, McMillan, Martin, Mason, Messer, Michaux, Miller, Morgan, Nash, Nesbitt, Nye, Parnell, Pickler, Plyler, Poovey, Pugh, Quinn, Ramsey, Ray, Revelle, Rhodes, Rountree, Sawyer, Schwartz, Setzer, Seymour, Short, Smith of Rowan, Smith of Forsyth, Spoon, Tally, Taylor, Tennille, Thomas, Tison, Tyson, Varner, Ward, Webb, White of Caldwell, White of Dare, Woodard, and Wright — 116.

A quorum of each Body being declared present, the Joint Session proceeds with the business for which it convenes.

The President recognizes Senator Scott, Chairman of the Senate University Board of Governors Committee and Representative Chase, Chairman of the House University Board of Governors Nominating Committee, who submit the following University Board of Governors Joint Nominating Committee Report:

LIST OF NOMINEES

WOMEN FOR EIGHT-YEAR TERM (SENATE WILL ELECT ONE)
Kathleen Chitty
Betty McCain

MINORITY RACE MEMBERS FOR AN EIGHT-YEAR TERM (SENATE WILL ELECT ONE)
Adolph Dial
Maceo Sloan

MINORITY PARTY CATEGORY FOR AN EIGHT-YEAR TERM (HOUSE WILL ELECT ONE)
Lawrence A. Cobb
William C. Haase
Harvey A. Jonas

AT-LARGE CATEGORY FOR AN EIGHT-YEAR TERM
(SENATE WILL ELECT TWO)
(HOUSE WILL ELECT THREE)

Furman P. Bodenheimer	(H)*
Victor W. Dawson	(H) & (S)*
Charles Z. Flack	(H) & (S)
Felix Harvey	(S)*
James E. Holmes	(H)
Wallace Hyde	(H) & (S)
George R. Little	(H)
Jimmy L. Love	(H)
Reginald McCoy	(S)
Lennox P. McLendon	(H)

William D. Mills (S)
Clint J. Newton (H)
William Staton (S)

AT-LARGE CATEGORY FOR A FOUR-YEAR TERM (SENATE WILL ELECT ONE)
George W. Hill
Thomas J. White

AT-LARGE CATEGORY FOR A TWO-YEAR TERM (HOUSE WILL ELECT ONE)
Lenox G. Cooper
Robert L. Jones
John Vaughn

*(S) Senate Committee Nominee
*(H) House Committee Nominee
*(H) & (S) Committees Nominee

The President opens the floor to nominations.

Representative Locklear of Robeson County nominates Grace S. Epps for a two-year term in the At-Large Category.

Representative Miller of Durham County nominates Victor S. Bryant for a two-year term in the At-Large Category.

On motion of Senator Lawing, seconded by Representative Jones of Rutherford, the nominations are closed.

On motion of Senator Henley, the Joint Session is dissolved and the Senate returns to its Chamber.

The Senate resumes consideration of its regular business.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Marion for the **Courts and Judicial Districts Committee:**

S. B. 300, a bill to amend G. S. 7A-312 to increase the compensation fee for jurors, with a favorable report, as amended.

On motion of Senator Marion, the rules are suspended and the bill is placed before the Senate for immediate consideration, and on his further motion Committee Amendment No. 1 is adopted.

On motion of Senator Marion, the bill, as amended, is re-referred to the **Appropriations Committee.**

S. B. 564, a bill to amend Chapter 7A to validate all official actions of district court judges of the 25th Judicial District performed after mandatory retirement age, with a favorable report.

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By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 446, a bill to amend the Tort Claims Act to provide coverage for negligence and to raise the limits to one hundred thousand dollars, with a favorable report.

On motion of Senator Allsbrook, the bill is placed on the Calendar for Wednesday, April 27.

S. B. 504, a bill to provide a procedure for the exercise of a person's right to a natural death; and to add expressly the criterion of irreversible cessation of brain function to the other criteria for establishing a person's death, with a favorable report.

S. B. 568, a bill to amend G. S. 7A-273 relating to the power of magistrates in criminal actions relating to worthless checks, with a favorable report.

By Senator Britt for the **Judiciary II Committee:**

S. B. 540, a bill to amend G. S. 36-23.2(a1) relative to amendment of trusts to meet the requirements of Section 2055(e)(2)(A) of the Internal Revenue Code of 1954, with a favorable report.

By Senator Harrington for the **Transportation Committee:**

S. B. 409, a bill to amend the Historic Albemarle Tour Highway Act, with a favorable report, as amended.

H. B. 821, a bill to repeal the highway laws relating to the disposal of surplus material derived from grading, with a favorable report.

H. B. 822, a bill to amend G. S. 136-72 to clarify the authority for establishing the maximum safe load carrying capacity of bridges on the State highway system, with a favorable report.

By Senator Combs for the **Wildlife Committee:**

S. B. 292, a bill to regulate aquatic ski jumps and other facilities used by water skiers, with a favorable report, as amended.

S. B. 347, a bill to amend G. S. 75A-15 with respect to special boating and water safety regulations applicable to local waters, with a favorable report, as amended.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. B. 566, a bill to amend Article 12 of Chapter 131 of the General Statutes of North Carolina to provide that bonds issued by a hospital authority and the interest thereon are exempt from State and local taxation.

Referred to **Finance Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 176, Committee Substitute for **H. B. 176,** a bill to limit inheritance to the fourth degree of collateral kin in certain cases.

Referred to **Judiciary I Committee.**

H. B. 380, Committee Substitute for **H. B. 380,** a bill to amend G. S. 153A-159 to authorize Union County to use condemnation procedures provided in Article 9 of Chapter 136 of the General Statutes in the exercise of its power of eminent domain.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 596, Committee Substitute for **H. B. 596,** a bill declaring that judgements of divorce entered by courts of competent jurisdiction without conclusions of law that the plaintiff was entitled to an absolute divorce are valid and of full force and effect.

Referred to **Judiciary II Committee.**

H. B. 757, Committee Substitute for **H. B. 757,** a bill to revise and consolidate the Charter of the Town of Garner and to repeal prior local acts.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 785, Committee Substitute for **H. B. 785,** a bill to provide a supplemental retirement fund for firemen in the City of Conover and to modify the application of G. S. 118-5, G. S. 118-6, and G. S. 118-7 to the City of Conover.

Referred to **Local Government and Regional Affairs Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 63, Committee Substitute for Committee Substitute for **S. B. 63,** a bill to amend the statutory provisions for notice and hearing prior to mortgage foreclosure sales to clarify ambiguities and provide for a more efficient procedure.

The Committee Substitute for Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 199, a bill to amend Chapter 84 of the General Statutes of North Carolina relating to attorneys.

Senator Whichard calls the previous question, seconded by Senator Royall. The call is sustained.

The bill passes its second reading.

On objection of Senator Hardison to its third reading the bill remains on the Calendar.

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S. B. 285, Committee Substitute for **S. B. 285,** a bill to regulate the possession and use of firearms on public highways.

Senator Combs offers Amendment No. 1 which is adopted.

On motion of Senator Speed, the Committee Substitute bill, as amended, is re-referred to the **Wildlife Committee.**

S. B. 442, a bill to amend Chapter 929 of the 1975 Session Laws relating to the commitment of noncriminal juvenile offenders to juvenile institutions for delinquents.

On motion of Senator Hardison, consideration of the bill is postponed until Tuesday, May 3.

S. B. 510, a bill to authorize savings and loan associations to employ such methods of loan repayment as shall be prescribed by the Administrator of the Savings and Loan Division, as amended, upon third reading.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the House of Representatives.

S. B. 516, a bill to prohibit operation of bicycles with helper motors during period of revocation or suspension.

On motion of Senator Marion, Committee Amendment No. 1 is adopted.

On motion of Senator Marion, consideration of the bill, as amended, is postponed until Thursday, April 28.

H. B. 392, a bill to require special tests for persons wishing to be licensed to operate a motorcycle, upon third reading.

Senator Royall offers Amendment No. 1 which is adopted.

Senator Daniels offers Amendment No. 2.

On motion of Senator Harris, the bill and pending Amendment No. 2 is re-referred to the **Finance Committee.**

H. B. 478, Committee Substitute for **H. B. 478,** a bill to make technical amendments to the election laws.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 509, a bill to authorize certain precinct officials to assist voters in marking ballots under certain circumstances.

On motion of Senator McDuffie, consideration of the bill is postponed until Wednesday, April 27.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:30 P.M.

SEVENTY-SIXTH DAY

SENATE CHAMBER,
Wednesday, April 27, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Reverend Paul Johnson, Minister of Martin Street Baptist Church, Raleigh.

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President Pro Tempore assumes the Chair.

The President Pro Tempore extends courtesies of the gallery to the Honorable William D. Mills, former Senator from Onslow County and to the Honorable Thomas E. Strickland, former Senator from Wayne County.

On motion of Senator Scott the election of the members of the Board of Trustees of the University of North Carolina is set as a Special Order of Business, No. 1 on the Calendar for Thursday, April 28.

REPORT TO THE PRESIDENT OF THE SENATE

Mr. President:

Pursuant to General Statutes 135-6(b)(3) and at your request, the Senate Committee on State Government recommends approval of the following candidate to serve on the Board of Trustees of the Teachers' and State Employees' Retirement System:

MR. FLOYD J. BASS
Department of Transportation
Raleigh, North Carolina

Mr. Bass is being recommended to fill the unexpired term of Hargett Y. Kinard who is no longer employed by the Department of Transportation. Mr. Bass's term will expire on April 5, 1979.

The nominee was unanimously approved by those in attendance at the Senate State Government Committee meeting on April 27, 1977.

Respectfully submitted,
WILLIS P. WHICHARD
Chairman

On motion of Senator Whichard, the report is adopted by roll-call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis,

Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guliford, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, and White — 47.

The appointment of Mr. Floyd J. Bass to the Board of Trustees of the Teachers' and State Employees' Retirement System is confirmed.

S. B. 529, a bill to amend G. S. 7A-133 to provide an additional magistrate for Polk County.

On motion of Senator Soles, the rules are suspended and the bill is taken from the **Local Government and Regional Affairs Committee** and re-referred to the **Courts and Judicial Districts Committee.**

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Marion for the **Courts and Judicial Districts Committee:**

H. B. 76, Committee Substitute for **H. B. 76**, a bill to amend General Statutes Chapter 7A to provide counsel in the Court's discretion to indigent parties in a proceeding for the termination of parental rights, with a favorable report.

On motion of Senator Marion the Committee Substitute bill is re-referred to the **Appropriations Committee.**

By Senator Stallings **for the Education Committee:**

H. J. R. 952, a bill fixing the time and place for a joint session of the Senate and House of Representatives to act on confirmation of appointments made by the Governor to membership on the State Board of Education, with a favorable report, as amended.

By Senator McDuffie for the **Election Laws Committee:**

S. B. 299, a bill to require disclosure detail regarding proceeds from loans used by candidates for political office and political committees, with a favorable report.

S. B. 525, a bill to require newspapers to charge the lowest rate for advertisements to all persons running for public office, with a favorable report.

H. B. 427, a bill to repeal Chapter 102 of the Session Laws of 1971, and to provide for the transfer of registered voters so affected, with a favorable report.

By Senator Rauch for the **Finance Committee:**

H. B. 566, a bill to amend Article 12 of Chapter 131 of the General Statutes of North Carolina to provide that bonds issued by a hospital authority

and the interest thereon are exempt from State and local taxation, with a favorable report.

On motion of Senator Rauch, the rules are suspended and the bill is placed on today's Calendar.

By Senator Totherow for the **Insurance Committee:**

S. B. 408, a bill to require insurance companies to furnish to fire officials information relating to investigations of property fire losses, with a favorable report.

By Senator Britt for the **Judiciary II Committee:**

S. B. 402, a bill to amend Article 5A of Chapter 122 of the General Statutes to provide advance notice of hearings and rehearings to the petitioner in involuntary commitments, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Britt, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

By Senator Soles for the **Local Government and Regional Affairs Committee:**

S. B. 496, a bill to exempt certain property owned by the Franklinton City School Administrative Unit for G. S. 115-131, with a favorable report.

S. B. 523, a bill to amend Chapter 391, Session Laws of 1963 to provide that the New Hanover County Board of Education shall consist of seven members, with a favorable report.

H. B. 380, Committee Substitute for **H. B. 380,** a bill to amend G. S. 153A-159 to authorize Union County to use condemnation procedures provided in Article 9 of Chapter 136 of the General Statutes in the exercise of its power of eminent domain, with a favorable report.

H. B. 382, a bill to permit the Town of Highlands to impose a privilege license on auction galleries, with a favorable report.

On motion of Senator Soles, the bill is recommitted to the **Local Government and Regional Affairs Committee.**

H. B. 477, a bill to permit Currituck County to levy license taxes upon the operation of campgrounds and outdoor advertising businesses, with a favorable report.

H. B. 564, a bill authorizing appointment of a Board of Equalization and Review for Union County, with a favorable report.

H. B. 599, a bill to amend the Charter of the Town of Scotland Neck to remove the limitation on the authority of the Board of Commissioners to compensate the mayor and members of the Board of Commissioners, with a favorable report.

H. B. 646, a bill to amend G. S. 143-129 and G. S. 143-131 to increase the minimum dollar amount for which formal and informal bids are required, with a favorable report.

H. B. 647, a bill to amend G. S. 128-24(4) relating to the retirement of local government employees in Guilford County, with a favorable report.

H. B. 648, a bill to amend Chapter 704, Section 1, Session Laws of 1943 relating to funds for burial of indigents in Guilford County, with a favorable report.

H. B. 709, a bill to authorize the Camden County Board of Commissioners to enter into a lease of a certain parcel of real property owned by the County for a term of up to 99 years, with a favorable report.

H. B. 725, a bill to amend Chapter 1151, Session Laws of 1949 to provide staggered terms of four years for the Board of County Commissioners of Hyde County, with a favorable report.

H. B. 743, Committee Substitute for H. B. 743, a bill to amend Chapter 385 of the Public-Local Laws of 1921, relating to pensions for school teachers of New Hanover County, with a favorable report.

H. B. 752, a bill to require maps filed in Onslow County, pursuant to G. S. 47-30, to be 18 inches by 24 inches, with a favorable report.

H. B. 763, a bill to amend the 1927 Session Laws to permit the election of Yanceyville Sanitary District Board Members in staggered terms, with a favorable report.

H. B. 777, a bill authorizing appointment of a Board of Equalization and Review for Anson County, with a favorable report.

H. B. 781, a bill to amend Chapter 180 of the Session Laws of 1975 entitled "Charter for the City of Morganton," with a favorable report.

H. B. 798, a bill to incorporate the Town of Rennert in Robeson County, with a favorable report.

H. B. 809, a bill relating to the election of the County Board of Education of Macon County, with a favorable report.

H. B. 825, a bill to authorize counties and cities to provide defense counsel for members of volunteer fire departments and rescue squads which receive public funds, with a favorable report.

H. B. 837, a bill to provide a supplemental retirement fund for firemen in the City of Eden and to modify the application of G. S. 118-5, G. S. 118-6, and G. S. 118-7 to the City of Eden, with a favorable report.

H. B. 849, a bill to provide for five members of the Camden County Board of Commissioners, three elected from districts and two elected at large, and providing for staggered terms of four years, subject to a referendum of the voters of the County, with a favorable report, as amended.

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H. B. 860, a bill to authorize the City of Lincolnton and the County of Lincoln to establish and operate a joint airport, with a favorable report.

H. B. 953, a bill to amend Chapter 497 of the 1965 Session Laws relating to commissioners for the Town of Denton, with a favorable report.

H. B. 958, a bill to incorporate the Town of Dortches in Nash County, with a favorable report.

By Senator Henley for the **Rules and Operation of the Senate Committee:**

S. J. R. 567, a joint resolution recognizing National Secretaries' Week and honoring secretaries throughout the State, with a favorable report, as amended.

On motion of Senator Henley, the rules are suspended and the joint resolution is placed before the Senate for immediate consideration.

On motion of Senator Henley, Committee Amendment No. 1 is adopted.

The joint resolution, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

H. J. R. 617, a joint resolution honoring Archie Travers Lane, Sr., a former member of the North Carolina General Assembly and distinguished citizen, with a favorable report.

By Senator Whichard for the **State Government Committee:**

S. B. 32, a bill to amend Chapter 126 of the General Statutes to prohibit the Office of State Personnel from conducting training programs, without prejudice.

On motion of Senator Whichard, the rules are suspended and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 262, a bill to provide for actuarial notes evaluating all public retirement systems, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Whichard, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S. B. 301, a bill to amend G. S. 126-2 to increase the number of members of the State Personnel Commission and provide for local government employee representation, with an unfavorable report.

S. B. 320, a bill to amend Section 143B-394 of the General Statutes to increase to 20 the members of the Council on the Status of Women, with a favorable report.

On motion of Senator Whichard, the bill is re-referred to the **Appropriations Committee.**

S. B. 334, a bill to establish a system for the periodic review and for the termination, continuation, or re-establishment of certain licensing and regulatory agencies, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

April 27, 1977

On motion of Senator Whichard, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S. B. 423, a bill to allow State employees to authorize salary deductions for the State Employees Combined Campaign, with a favorable report, as amended.

On motion of Senator Whichard, the rules are suspended and the bill is placed before the Senate for immediate consideration, and on his further motion Committee Amendment No. 1 is adopted.

On motion of Senator Whichard, the bill, as amended, is re-referred to the **Appropriations Committee.**

S. B. 501, a bill to enable the Department of Administration to initiate sales, leases, or rentals of State lands, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Whichard, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S. B. 502, a bill to amend G. S. 146-25.1 pertaining to Department of Administration's authority over bid proposals for leasing, with a favorable report.

H. B. 624, a bill to expand the Youth Advisory Council and to provide for the terms of members of the Council, with a favorable report.

On motion of Senator Whichard, the bill is re-referred to the **Appropriations Committee.**

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senators Hill and Renfrow:

S. J. R. 578, a joint resolution creating a Joint Legislative Commission to study the Revenue Laws of the State of North Carolina, and make recommendations to update the same.

Referred to **Rules and Operation of the Senate Committee.**

By Senators Allsbrook, White, Harrington, and Daniels:

S. B. 579, a bill to appropriate funds to provide for publication of the Catherine Ann Devereux Edmonston diary.

Referred to **Appropriations Committee.**

By Senators Childers, Marvin, Winters, Barnes, Renfrow, White, Sharpe, Jordan, Hill, Daniels, Soles, Ballenger, Palmer, Mathis, Lake, Webster, Sebo, Vickery, Harris, McDuffie, Harrington, Lawing, Marion, Stallings, Wynne, Whichard, Scott, Swain, Alford, Britt, Speed, Crawford, Walker, Davis, Allsbrook, Smith of New Hanover, and Combs:

S. B. 580, a bill to promote and encourage the conservation of energy by providing a tax credit for installation of solar hot water, heating and cooling

systems, by providing a tax credit for installation of home insulation, storm windows and storm doors, by managing and controlling energy use by improved enforcement of the State Building Code insulation requirements, by reporting of available petroleum supplies, and by prohibiting the use of master meters for electricity and natural gas in new multi-unit residential dwelling units.

Referred to **Public Utilities and Energy Committee.**

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. B. 585

HOUSE OF REPRESENTATIVES
April 27, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on House Bill No. 585, a bill to be entitled an act to revise and consolidate the Charter of the City of Statesville and to repeal prior Charter acts to the end that when similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,
GRACE A. COLLINS
Principal Clerk

CONFERENCE REPORT

H. B. 585

Senator Soles, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H. B. 585,** a bill to revise and consolidate the Charter of the City of Statesville and to repeal prior Charter Acts, submits the following report:

To the President of the Senate and the Speaker of the House of Representatives:

We, the Conferees appointed to consider and resolve the differences between the two bodies with respect to House Bill No. 585, "a bill to be entitled an act to revise and consolidate the Charter of the City of Statesville and repeal prior Charter acts," respectfully report that we have conferred and agreed as follows:

that the disputed amendment to House Bill No. 585 adopted in the Senate should read as follows:

Page 21, Line 15, by adding new sections (2), (3), (4) and (5) after line 14 to read as follows:

"(2) Twenty-five percent (25%) shall be turned over to the Board of Education of the City of Statesville.

"(3) Ten percent (10%) shall be turned over to the Statesville Arts & Science Museum.

"(4) The remaining forty percent (40%) shall be turned over to the city council to be used in its discretion.

"(5) Mitchell Community College, the Board of Education and the Arts & Science Museum shall submit to the city council annually line item budgets showing how these funds are to be used."

And, to this end, we the said Conferees, recommend that the House of Representatives and the Senate adopt this Conference Report.

This the 27th day of April, 1977.

J. P. HUSKINS
W. H. MCMILLAN
GORDON H. GREENWOOD
Conferees on the part of the House of Representatives

T. CASS BALLENGER
BOBBY LEE COMBS
R. C. SOLES, *Chairman*
Conferees on the part of the Senate

On motion of Senator Soles, the Conference Report is adopted and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

CONFERENCE REPORT

H. B. 77

By Senator Soles, for the Conferees appointed to consider the differences arising between the Senate and House of Representatives upon Committee Substitute for **H. B. 77**, a bill to prohibit obstructing the administration of justice by picketing or parading, submits the following report:

To the President of the Senate and the Speaker of the House of Representatives:

We, the Conferees appointed to consider and resolve the difference between the two bodies with respect to **H. B. 77** (adopted April 27, 1977), "a bill to be entitled an act to prohibit obstructing the administration of justice by picketing or parading," respectfully report that we have conferred and agreed as follows:

The Conference Committee recommends that the Senate recede from its Amendment No. 1, and that Section 2 of **H. B. 77** shall read as follows:

"Section 2. This act shall become effective on July 1, 1977."

April 27, 1977

And, to this end, we the said Conferees, recommend that the House of Representatives and the Senate adopt this Conference Report.

This the 27th day of April, 1977.

JULIAN R. ALLSBROOK
FRED D. ALEXANDER
LUTHER J. BRITT, JR.
Conferees on the part of the Senate

H. PARKS HELMS
HENRY E. FRYE
PETER W. HAIRSTON
Conferees on the part of the House of Representatives

On motion of Senator Soles, the Conference Report is adopted and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 370, Committee Substitute No. 2 for **H. B. 370,** a bill to authorize health services for minors.
Referred to **Human Resources Committee.**

H. B. 616, a bill to make certain technical changes in Chapter 163 of the General Statutes relating to elections to conform with prior changes in the election laws.
Referred to **Election Laws Committee.**

H. B. 792, a bill to authorize the State Board of Alcoholic Control to increase the permit for issuing a retail license fee from twenty-five dollars to fifty dollars, and to increase the price of the wholesale permit from twenty-five dollars to one hundred dollars.
Referred to **Alcoholic Beverage Control Committee.**

H. B. 803, Committee Substitute for **H. B. 803,** a bill to prevent the use of artificial light in areas inhabited by game in Scotland County.
Referred to **Wildlife Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 199, a bill to amend Chapter 84 of the General Statutes of North Carolina relating to attorneys, upon third reading.

The bill passes its third reading and is ordered sent to the House of Representatives.

S. B. 262, Committee Substitute for S. B. 262, a bill to provide for actuarial notes evaluating all public retirement systems.

On motion of Senator Whichard, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Friday, April 29.

S. B. 292, a bill to regulate aquatic ski jumps and other facilities used by water skiers, as amended.

On motion of Senator Combs, Committee Amendment No. 4 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 334, Committee Substitute for S. B. 334, a bill to establish a system for the periodic review and for the termination, continuation, or re-establishment of certain licensing and regulatory agencies.

On motion of Senator Whichard, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Friday, April 29.

S. B. 347, a bill to amend G. S. 75A-15 with respect to special boating and water safety regulations applicable to local waters.

On motion of Senator Combs, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

Senator Allsbrook requests to be recorded voting "aye."

S. B. 351, a bill to amend G. S. 7A-104 relating to certain disqualifications of the clerk of court by changing the term "wife" to "spouse," as amended, upon third reading.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the House of Representatives.

S. B. 352, a bill to amend the law relating to testimony of a married person whose spouse brings an action for criminal conversation, upon third reading.

The bill passes its third reading and is ordered sent to the House of Representatives.

S. B. 356, a bill to amend G. S. 20-187.2 by changing the term "widow" to "surviving spouse," upon third reading.

The bill passes its third reading and is ordered sent to the House of Representatives.

S. B. 358, a bill to require any person acknowledging paternity to do so during the child's lifetime, for purposes of intestate succession, upon third reading.

The bill passes its third reading and is ordered sent to the House of Representatives.

S. B. 360, a bill to amend the law relating to parents' right to dispose of custody and tuition of minor children by will, upon third reading.

The bill passes its third reading and is ordered sent to the House of Representatives.

S. B. 361, a bill to amend G. S. 33-67 by changing the term "mother" to "other parent," upon third reading.

The bill passes its third reading and is ordered sent to the House of Representatives.

S. B. 362, a bill to make miscellaneous changes in G. S. Chapter 51 relating to marriage, as amended, upon third reading.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the House of Representatives.

S. B. 363, a bill to remove sex discriminatory provisions from G. S. Chapter 94 relating to apprenticeship, upon third reading.

The bill passes its third reading and is ordered sent to the House of Representatives.

S. B. 402, a bill to amend Article 5A of Chapter 122 of the General Statutes to provide advance notice of hearings and rehearings to the petitioner in involuntary commitments.

On motion of Senator Britt, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Friday, April 29.

S. B. 409, a bill to amend the Historic Albemarle Tour Highway Act.

On motion of Senator Harrington, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 446, a bill to amend the Tort Claims Act to provide coverage for negligence and to raise the limits to one hundred thousand dollars, upon second reading.

Senator Smith of New Hanover offers Amendment No. 1 which is adopted.

Senator Smith of New Hanover calls the previous question, duly seconded. The call is sustained.

The bill, as amended, passes its second reading by roll-call vote, ayes 46, noes 1, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 46.

Voting in the negative is: Senator Harris — 1.

The bill, as amended, remains on the Calendar upon third reading.

S. B. 483, a bill to provide that certain rules of the Environmental Management Commission shall be filed with the Attorney General as provided by Chapter 150A of the General Statutes.

April 27, 1977

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 501, Committee Substitute for **S. B. 501**, a bill to enable the Department of Administration to initiate sales, leases, or rentals of State lands.

On motion of Senator Whichard, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Friday, April 29.

H. B. 509, a bill to authorize certain precinct officials to assist voters in marking ballots under certain circumstances.

On motion of Senator McDuffie, consideration of the bill is postponed until Thursday, April 28.

H. B. 566, a bill to amend Article 12 of Chapter 131 of the General Statutes of North Carolina to provide that bonds issued by a hospital authority and the interest thereon are exempt from State and local taxation, upon second reading.

The bill passes its second reading by roll-call vote, ayes 50, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 50.

The bill remains on the Calendar upon third reading.

ENROLLED BILL

The Enrolling Clerk reports the following bill properly enrolled, and it is duly ratified and sent to the office of the Secretary of State:

H. B. 478, Committee Substitute for **H. B. 478**, an act to make technical amendments to the election laws.

On motion of Senator Royall, the Senate adjourns to meet tomorrow at 1:30 P.M.

SEVENTY-SEVENTH DAY

SENATE CHAMBER,
Thursday, April 28, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Father Peter Murtos, Pastor of Holy Trinity Eastern Greek Orthodox Church, Raleigh.

April 28, 1977

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Somers, Marion, McDuffie, Sebo, and Royall, for tomorrow, April 29.

The Honorable James Bomar, former Lieutenant Governor of Tennessee, and his wife are extended courtesies of the floor by the President. On motion of Senator Henley, the rules are suspended and Lieutenant Governor Bomar approaches the Well of the Senate, where he briefly addresses the Senate expressing appreciation for the courtesies extended him.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Lawing for the **Banking Committee:**

S. B. 544, a bill to amend Article 7A of Chapter 54 of the General Statutes, relating to mutual deposit guaranty associations, with a favorable report.

By Senator Stallings for the **Education Committee:**

S. B. 78, a bill to make public school teachers and employees eligible to serve as members of county and city boards of education other than those boards which are their employers, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Stallings, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

H. B. 364, a bill to authorize Alamance County Board of Education to dispose of certain land by private sale, which is a part of Elon College Elementary School property, with a favorable report.

H. B. 523, a bill to increase the membership of the Guilford County Board of Education from five to seven members, with a favorable report.

H. B. 721, a bill to amend G. S. 115-55 relative to the filling of vacancy in the office of a county or city superintendent, with a favorable report.

H. B. 863, a bill to provide for election of members of the Goldsboro City Board of Education and to fix their terms of office, with a favorable report, as amended.

By Sentor Harris for the **Human Resources Committee:**

S. B. 443, a bill to provide a comprehensive glaucoma and diabetes detection, and a diabetes control program, with a favorable report.

On motion of Senator Harris, the bill is re-referred to the **Appropriations Committee.**

April 28, 1977

H. B. 686, Committee Substitute for **H. B. 686**, a bill to amend G. S. 148-22(b) to allow for increased cooperation between the Department of Correction and other public and private agencies in order to improve the delivery of mental health services to inmates of the Department of Correction, with a favorable report.

H. B. 420, a bill to amend G. S. 90-29(c)(4) to allow the practice of dentistry by dental students at off-campus locations approved by the North Carolina State Board of Dental Examiners, with a favorable report.

By Senator Allsbrook for the **Judiciary I Committee:**

H. B. 304, Committee Substitute for **H. B. 304**, a bill to amend G. S. 1A-1, Rule 41(d), to provide that the trial judge shall stay proceedings of revived lawsuits in which costs have not been paid until such costs are paid, with a favorable report.

H. B. 318, Committee Substitute for **H. B. 318**, a bill to amend Chapter 929 of the 1975 Session Laws relating to the commitment of noncriminal juvenile offenders to juvenile institutions for delinquents, with a favorable report.

By Senator Britt for the **Judiciary II Committee:**

S. B. 142, a bill to amend the Guardianship Laws, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Britt, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

By Senator Speed for the **Natural and Economic Resources Committee:**

S. J. R. 104, a joint resolution creating a commission to study the feasibility of establishing a Sea World in Onslow County, North Carolina, with an unfavorable report as to joint resolution, favorable as to Committee Substitute joint resolution.

On motion of Senator Speed, the rules are suspended and the Committee Substitute joint resolution is placed on today's Calendar.

S. B. 484, a bill to amend certain laws affecting the promotion of coastal fisheries and seafood industry, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senators McDuffie and Lawing:

S. B. 581, a bill to correct inequities to nonresidents in computing net taxable income due the State of North Carolina and to make the law of the State of North Carolina regarding the same conform with the laws of adjoining states.

Referred to **Finance Committee.**

By Senator Daniels:

S. J. R. 582, a joint resolution extending goodwill and best wishes to Her Majesty, Elizabeth II, Queen of England, in the twenty-fifth year of her reign.

Referred to **Rules and Operation of the Senate Committee.**

By Senators Daniels and Harrington:

S. B. 583, a bill to ratify and validate the proceedings for the establishment of Chowan County Drainage District Number Three.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Hardison:

S. B. 584, a bill to authorize the Attorney General to employ two attorneys to perform legal service for the State Department of Crime Control and Public Safety.

Referred to **Appropritions Committee.**

By Senator Wynne:

S. B. 585, a bill to clarify the term "interstate business" in G. S. 105-113.9.

Referred to **Finance Committee.**

By Senators Hill and Renfrow:

S. B. 586, a bill to increase to ten thousand dollars the size of an estate for which no inheritance tax return is required.

Referred to **Finance Committee.**

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. B. 77
Committee Substitute for **H. B. 77**

HOUSE OF REPRESENTATIVES
April 27, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **H. B. 77**, Committee Substitute for **H. B. 77**, a bill to be entitled an act to prohibit obstructing the administration of justice by picketing or parading, to the end that when a similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,
GRACE A. COLLINS
Principal Clerk

April 28, 1977

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 82, a bill to be known as the North Carolina Commercial Fertilizer Law, for concurrence in the House amendment which is placed on the Calendar for Friday, April 29.

H. B. 385, a bill directing the State Board of Education to establish rules and regulations regarding the qualifications of transportation supervisors.

Referred to **Transportation Committee.**

H. B. 653, a bill to amend the Controlled Substances Act to schedule controlled substances previously scheduled by regulation and to make technical corrections in the Act.

Referred to **Judiciary II Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

SPECIAL ORDER NO. 1

H. J. R. 268

The hour having arrived for the consideration of Special Order No. 1, the President of the Senate lays before the Senate Special Order No. 1, it being the nominations for members of the Board of Governors of the University of North Carolina made at the Joint Session on April 26, 1977. The Senate proceeds to vote by secret ballot according to the provisions of H. J. R. 268.

The ballots are duly tabulated by Senator Scott and Representative Chase, Chairpersons of the University Board of Governors Committee in each Body, and the results are announced as follows:

WOMEN FOR EIGHT-YEAR TERM
Betty McCain

MINORITY RACE MEMBERS FOR EIGHT-YEAR TERM
Maceo Sloan

AT-LARGE CATEGORY FOR AN EIGHT-YEAR TERM
Reginald McCoy
William D. Mills

AT-LARGE CATEGORY FOR A FOUR-YEAR TERM
George W. Hill

On motion of Senator Scott, the election of the above-named individuals to the Board of Governors of the University of North Carolina is approved by roll-call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Crawford, Daniels, Davis, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Swain, Totherow, Vickery, Walker, Webster, White, Winters, and Wynne — 45.

S. B. 78, Committee Substitute for S. B. 78, a bill to amend G. S. 115.25 relative to the eligibility to school employees and district committee members to serve on boards of education.

On motion of Senator Stallings, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Monday, May 2.

S. J. R. 104, Committee Substitute for S. J. R. 104, a joint resolution creating a commission to study the feasibility of establishing a Sea World in the coastal area of North Carolina.

On motion of Senator Speed, the Committee Substitute joint resolution is adopted, and on his further motion is re-referred to the **Appropriations Committee.**

S. B. 142, Committee Substitute for S. B. 142, a bill to amend the Guardianship laws.

On motion of Senator Britt, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Wednesday, May 4.

S. B. 277, a bill to establish a Benefit and Retirement Fund for law enforcement officers to supersede the existing Law Enforcement Officers' Benefit and Retirement Fund maintained under G. S. 143-166, as amended, upon second reading.

On motion of Senator Raynor, the bill, as amended, is recommitted to the **Law Enforcement and Crime Control Committee.**

S. B. 299, a bill to require disclosure detail regarding proceeds from loans used by candidates for political office and political committees.

On motion of Senator Britt, the bill is re-referred to the **Banking Committee.**

S. B. 408, a bill to require insurance companies to furnish to fire officials information relating to investigations of property fire losses.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 446, a bill to amend the Tort Claims Act to provide coverage for negligence and to raise the limits to one hundred thousand dollars, as amended, upon third reading.

The bill passes its third reading by roll-call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 44.

The bill is ordered sent to the House of Representatives, without engrossment.

S. B. 496, a bill to exempt certain property owned by the Franklinton City School Administrative Unit for G. S. 115-131.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 497, a bill to provide for the nomination and election of the Buncombe County Board of Education.

On motion of Senator Swain, consideration of the bill is postponed until Wednesday, May 11.

S. B. 502, a bill to amend G. S. 146-25.1 pertaining to Department of Administration's authority over bid proposals for leasing.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 504, a bill to provide a procedure for the exercise of a person's right to a natural death; and to add expressly the criterion of irreversible cessation of brain function to the other criteria for establishing a person's death.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 516, a bill to prohibit operation of bicycles with helper motors during period of revocation or suspension, as amended.

On motion of Senator Marion, consideration of the bill, as amended, is postponed until Tuesday, May 3.

S. B. 523, a bill to amend Chapter 391, Session Laws of 1963 to provide that the New Hanover County Board of Education shall consist of seven members.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 525, a bill to require newspapers to charge the lowest rate for advertisements to all persons running for public office.

On motion of Senator McDuffie, the bill is recommitted to the **Election Laws Committee.**

S. B. 540, a bill to amend G. S. 36-23.2(a1) relative to amendment of trust to meet the requirements of Section 2055(e)(2)(A) of the Internal Revenue Code of 1954.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 564, a bill to amend Chapter 7A to validate all official actions of district court judges of the 25th Judicial District performed after mandatory retirement age.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 568, a bill to amend G. S. 7A-273 relating to the power of magistrates in criminal actions relating to worthless checks.

The bill passes its second reading.

On objection of Senator Lawing to its third reading the bill remains on the Calendar.

H. B. 380, Committee Substitute for **H. B. 380**, a bill to amend G. S. 153A-159 to authorize Union County to use condemnation procedures provided in Article 9 of Chapter 136 of the General Statutes in the exercise of its power of eminent domain, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Combs, Crawford, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Whichard, White, Winters, and Wynne — 44.

The Committee Substitute bill remains on the Calendar upon third reading.

H. B. 427, a bill to repeal Chapter 102 of the Session Laws of 1971, and to provide for the transfer of registered voters so affected.

The bill passes its second and third readings and is ordered enrolled.

H. B. 477, a bill to permit Currituck County to levy license taxes upon the operation of campgrounds and outdoor advertising businesses, upon second reading.

The bill passes its second reading by roll-call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Combs, Crawford, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Whichard, White, Winters, and Wynne — 44.

The bill remains on the Calendar upon third reading

H. B. 509, a bill to authorize certain precinct officials to assist voters in marking ballots under certain circumstances.

On motion of Senator Marion, consideration of the bill is postponed until Tuesday, May 3.

H. B. 564, a bill authorizing appointment of a Board of Equalization and Review for Union County.

The bill passes its second and third readings and is ordered enrolled.

April 28, 1977

CLEARINGHOUSE
FEB 5 2002
STATE LIBRARY OF NORTH CAROLINA

H. B. 566, a bill to amend Article 12 of Chapter 131 of the General Statutes of North Carolina to provide that bonds issued by a hospital authority and the interest thereon are exempt from State and local taxation, upon third reading.

The bill passes its third reading by roll-call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Ballenger, Barnes, Britt, Combs, Crawford, Daniels, Garrison, Gray, Hardison, Harrington, Henley, Hill, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, Winters, and Wynne — 41.

The bill is ordered enrolled.

H. B. 599, a bill to amend the Charter of the Town of Scotland Neck to remove the limitation on the authority of the Board of Commissioners to compensate the mayor and members of the Board of Commissioners.

The bill passes its second and third readings and is ordered enrolled.

H. B. 646, a bill to amend G. S. 143-129 and G. S. 143-131 to increase the minimum dollar amount for which formal and informal bids are required.

The bill passes its second and third readings and is ordered enrolled.

H. B. 647, a bill to amend G. S. 128-24(4) relating to the retirement of local government employees in Guilford County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 648, a bill to amend Chapter 704, Section 1, Session Laws of 1943 relating to funds for burial of indigents in Guilford County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 709, a bill to authorize the Camden County Board of Commissioners to enter into a lease of a certain parcel of real property owned by the County for a term of up to 99 years.

The bill passes its second and third readings and is ordered enrolled.

H. B. 725, a bill to amend Chapter 1151, Session Laws of 1949 to provide staggered terms of four years for the Board of County Commissioners of Hyde County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 743, Committee Substitute for **H. B. 743**, a bill to amend Chapter 385 of the Public-Local laws of 1921, relating to pensions for school teachers of New Hanover County.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 752, a bill to require maps filed in Onslow County, pursuant to G. S. 47-30, to be 18 inches by 24 inches.

On motion of Senator Renfrow, consideration of the bill is postponed until Friday, April 29.

H. B. 763, a bill to amend the 1927 Session Laws to permit the election of Yanceyville Sanitary District Board Members in staggered terms.

The bill passes its second and third readings and is ordered enrolled.

H. B. 777, a bill authorizing appointment of a Board of Equalization and Review for Anson County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 781, a bill to amend Chapter 180 of the Session Laws of 1975 entitled "Charter for the City of Morganton," upon second reading.

The bill passes its second reading by roll-call vote, ayes 44, noes 0, as follows.

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Combs, Crawford, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Whichard, White, Winters, and Wynne — 44.

The bill remains on the Calendar upon third reading.

H. B. 798, a bill to incorporate the Town of Rennert in Robeson County, upon second reading.

The bill passes its second reading by roll-call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Combs, Crawford, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Whichard, White, Winters, and Wynne — 44.

The bill remains on the Calendar upon third reading.

H. B. 809, a bill relating to the election of the County Board of Education of Macon County, upon second reading.

The bill passes its second reading by roll-call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Combs, Crawford, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Whichard, White, Winters, and Wynne — 44.

The bill remains on the Calendar upon third reading.

H. B. 837, a bill to provide a supplemental retirement fund for firemen in the City of Eden and to modify the application of G. S. 118-5, G. S. 118-6, and G. S. 118-7 to the City of Eden.

The bill passes its second and third readings and is ordered enrolled.

H. B. 849, a bill to provide for five members of the Camden County Board of Commissioners, three elected from districts and two elected at large, and

providing for staggered terms of four years, subject to a referendum of the voters of the County.

On motion of Senator Soles, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 860, a bill to authorize the City of Lincolnton and the County of Lincoln to establish and operate a joint airport.

The bill passes its second and third readings and is ordered enrolled.

H. B. 952, a bill fixing the time and place for a joint session of the Senate and House of Representatives to act on confirmation of appointments made by the Governor to membership on the State Board of Education.

On motion of Senator Stallings, Committee Amendment No. 1 is adopted.

The joint resolution, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment by special messenger.

H. B. 953, a bill to amend Chapter 497 of the 1965 Session Laws relating to commissioners for the Town of Denton.

The bill passes its second and third readings and is ordered enrolled.

H. B. 958, a bill to incorporate the Town of Dortches in Nash County, upon second reading.

On motion of Senator Soles, the bill is recommitted to the **Local Government and Regional Affairs Committee.**

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 77, Committee Substitute for H. B. 77, an act to prohibit obstructing the administration of justice by picketing or parading.

S. B. 295, an act to amend the Health Care Facilities Finance Act to permit the powers granted thereunder to the North Carolina Medical Care Commission to be exercised by the Executive Committee of said Commission.

S. J. R. 567, a joint resolution recognizing National Secretaries Week and honoring secretaries throughout the State.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 10:00 A.M.

SEVENTY-EIGHTH DAY

SENATE CHAMBER,
Friday, April 29, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Reverend Stephen D. Harris, Associate Rector, The Church of the Good Shepherd, Raleigh as follows:

"Almighty God, who has ordered Your creation for good and faithful stewardship of Your bounty, be particularly present this day in the deliberations of this Body, that it may do Your will. Keep far from the members of the Senate trivial partisanship and factionalism. Guide the members in a deep understanding of Your justice, that they may discover ways in which that justice may be obtained in our lives, seeking always to restore individuals to meaningful life in our society. Especially give all those present a deeper knowledge of Your presence in their deliberations and their lives, that we may receive Your blessing and respond in praise and worship of You and the glorious creation that You have given us for faithful stewardship. All this we ask in Your name. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Sharpe and Lake for today and to Senator Gray for Monday, Tuesday, and Wednesday, May 2, 3, and 4 and to Senator Swain for Monday and Tuesday, May 2 and 3. Leaves of absence granted previously to Senators Somers, Marion, McDuffie, Sebo, and Royall are noted.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

HOUSE OF REPRESENTATIVES
April 28, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body notifying you of the election by the House of Representatives of the following persons to the Board of Governors of the University of North Carolina:

MINORITY PARTY CATEGORY FOR AN EIGHT-YEAR TERM
Lawrence A. Cobb

AT-LARGE CATEGORY FOR AN EIGHT-YEAR TERM

Furman P. Bodenheimer, Jr.
Charles Z. Flack
James E. Holmes, Jr.

AT-LARGE CATEGORY FOR A TWO-YEAR TERM

Robert L. Jones

Respectfully,
GRACE A. COLLINS
Principal Clerk

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rauch for the **Finance Committee:**

S. B. 38, a bill to amend G. S. Chapter 105 to remove sex discrimination from certain revenue laws, without prejudice.

S. B. 43, a bill to amend the Constitution of North Carolina to permit a surviving spouse of either sex to receive the benefit of the Homestead Exemption, without prejudice.

On motion of Senator Rauch, the rules are suspended and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 44, a bill to permit a surviving spouse of either sex to receive the benefit of the Homestead Exemption, without prejudice.

On motion of Senator Rauch, the rules are suspended and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 296, a bill to amend G. S. 105-147 of the General Statutes relating to contributions to the Civil Air Patrol, without prejudice.

On motion of Senator Rauch, the bill is re-referred to the **Ways and Means Committee.**

S. B. 346, a bill to increase the fee for replacing lost certificates of motorboat number, with a favorable report.

S. B. 379, a bill to extend to counties the power presently granted to cities to borrow money and issue general obligation bonds to pay capital cost for providing public transportation systems, with a favorable report.

S. B. 475, a bill to amend G. S. 139-28 to increase the possible term of years for watershed district debts, with a favorable report.

S. B. 476, a bill to repeal G. S. 146-6.1 requiring registration of earthmoving equipment in the coastal area, with a favorable report.

H. B. 85, a bill to amend G. S. Chapter 105 to remove sex discrimination from certain revenue laws, with a favorable report.

H. J. R. 133, a joint resolution memorializing Congress to consider the advisability of making payments in lieu of property taxes to local units of government within which large amounts of federal land are located or large numbers of military personnel are situated, with a favorable report.

H. B. 472, a bill to provide for use of transporter plates by house trailer or mobile home movers, with a favorable report.

H. B. 516, a bill to amend G. S. 105-152 to include the exemptions for the blind and persons 65 and older in order to determine who shall file an income tax return, with a favorable report.

H. B. 571, a bill to amend G. S. 105-147 of the General Statutes relating to contributions to the Civil Air Patrol, with a favorable report.

On motion of Senator Rauch, the bill is re-referred to the **Ways and Means Committee.**

H. B. 677, a bill to amend Chapter 161 of the General Statutes to increase the fee for furnishing certified copies of birth and death certificates and marriage licenses from one dollar to two dollars, with a favorable report.

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 154, a bill to rewrite the law regarding wrongful death in order to resolve inconsistency and to provide for a logical distribution of a recovery, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Allsbrook, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S. B. 503, a bill to allow appeal of a money judgment in magistrate's court to stay execution of the judgment, with a favorable report.

On motion of Senator Allsbrook, the bill is placed on the Calendar for Wednesday, May 4.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Hill:

S. B. 587, a bill to amend G. S. 105-163.6 relating to wages withheld for income tax purposes.

Referred to **Finance Committee.**

By Senator Swain:

S. B. 588, a bill to amend Chapter 74B of the General Statutes, the Private Protective Services Act.

Referred to **Judiciary I Committee.**

April 29, 1977

By Senator Lawing:

S. B. 589, a bill to amend Article 13, Chapter 130, North Carolina General Statutes, relating to water and sewer sanitation.

Referred to **Natural and Economic Resources Committee.**

By Senator Davis:

S. B. 590, a bill to amend G. S. 14-391 relating to loan interest on household furniture.

Referred to **Banking Committee.**

By Senators Daniels, Stallings, Harrington, Smith of New Hanover, Popkin, and Soles:

S. B. 591, a bill to reorganize the Marine Fisheries Commission and the Commercial and Sports Fisheries Committee.

Referred to **State Government Committee.**

By Senators Lake, Allsbrook, Barnes, Davis, Whichard, Soles, Stallings, Winters, Wynne, Gray, Sebo, Mathis, Marvin, Vickery, Walker, Kincaid, and Smith of New Hanover:

S. R. 592, a Senate resolution honoring Law Day U.S.A. and rededicating North Carolina to the principles of the democratic form of government, to emphasize that ours is a government of law and not of men.

On motion of Senator Wynne, the Senate resolution is adopted. (The text of this resolution appears in the Appendix.)

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 784, a bill to amend the Charter of the Town of Pinebluff relating to the term of the Mayor and Town Commissioners.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 805, a bill to abolish the office of coroner in Stokes County.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 844, a bill to authorize the Craven County Commissioners to fix compensation for the members of the Craven County Board of Education.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 853, a bill to authorize beer and wine elections in the Town of Cameron, North Carolina.

Referred to **Alcoholic Beverage Control Committee.**

H. B. 906, a bill to amend the Public-Local Laws relating to the Bureau of Identification for Wake County.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 954, a bill to amend Chapter 391, Session Laws of 1963 to provide that the New Hanover County Board of Education shall consist of eight members.

Referred to **Education Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

(Senator Henley presides over a portion of today's Session.)

S. B. 82, a bill to be known as the North Carolina Commercial Fertilizer Law, for concurrence in the House amendment.

On motion of Senator Harris, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 154, Committee Substitute for **S. B. 154**, a bill to rewrite the law regarding wrongful death in order to resolve inconsistency and to provide for a logical distribution of a recovery.

On motion of Senator Allsbrook, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Wednesday, May 4.

S. B. 262, Committee Substitute for **S. B. 262**, a bill to provide for actuarial notes evaluating all public retirement systems.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 334, Committee Substitute for **S. B. 334**, a bill to establish a system for the periodic review and for the termination, continuation, or re-establishment of certain licensing and regulatory agencies.

Senator Whichard offers Amendment No. 1 which is adopted.

The Committee Substitute bill, as amended, passes its second reading.

On objection of Senator Crawford to its third reading the Committee Substitute bill, as amended, is placed on the Calendar for Thursday, May 5.

S. B. 402, Committee Substitute for **S. B. 402**, a bill to amend Article 5A of Chapter 122 of the General Statutes to provide advance notice of hearings and rehearings to the petitioner in involuntary commitments.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 484, a bill to amend certain laws affecting the promotion of coastal fisheries and seafood industry.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 501, Committee Substitute for **S. B. 501**, a bill to enable the Department of Administration to initiate sales, leases, or rentals of State lands.

On motion of Senator Harris, consideration of the Committee Substitute bill is postponed until Friday, May 6.

S. B. 544, a bill to amend Article 7A of Chapter 54 of the General Statutes, relating to mutual deposit guaranty associations.

Senator Hill offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 568, a bill to amend G. S. 7A-273 relating to the power of magistrates in criminal actions relating to worthless checks, upon third reading.

On motion of Senator Allsbrook, the bill is recommitted to the **Judiciary I Committee.**

H. B. 304, Committee Substitute for H. B. 304, a bill to amend G. S. 1A-1, Rule 41(d), to provide that the trial judge shall stay proceedings of revived lawsuits in which costs have not been paid until such costs are paid.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 318, Committee Substitute for H. B. 318, a bill to amend Chapter 929 of the 1975 Session Laws relating to the commitment of noncriminal juvenile offenders to juvenile institutions for delinquents.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

Senator Scott requests to be recorded voting "aye."

H. B. 364, a bill to authorize Alamance County Board of Education to dispose of certain land by private sale, which is a part of Elon College Elementary School property.

The bill passes its second and third readings and is ordered enrolled.

H. B. 380, Committee Substitute for H. B. 380, a bill to amend G. S. 153A-159 to authorize Union County to use condemnation procedures provided in Article 9 of Chapter 136 of the General Statutes in the exercise of its power of eminent domain, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lawing, Marvin, Mathis, Popkin, Rauch, Raynor, Renfrow, Scott, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 39.

The Committee Substitute bill is ordered enrolled.

H. B. 420, a bill to amend G. S. 90-29(c)(4) to allow the practice of dentistry by dental students at off-campus locations approved by the North Carolina State Board of Dental Examiners.

Senator Britt moves the bill be re-referred to the **Judiciary II Committee.**

Senator Harris offers a substitute motion that the bill be removed from today's Calendar and placed on the Calendar for Thursday, May 5, which motion prevails.

H. B. 477, a bill to permit Currituck County to levy license taxes upon the operation of campgrounds and outdoor advertising businesses, upon third reading.

The bill passes its third reading by roll-call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lawing, Marvin, Mathis, Popkin, Rauch, Raynor, Renfrow, Scott, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 39.

The bill is ordered enrolled.

H. B. 517, a bill to amend G. S. 25-9-403(3) concerning financing statements.

The bill passes its second and third readings and is ordered enrolled.

H. B. 523, a bill to increase the membership of the Guliford County Board of Education from five to seven members.

The bill passes its second and third readings and is ordered enrolled.

H. J. R. 617, a joint resolution honoring Archie Travers Lane, Sr., a former member of the North Carolina General Assembly and distinguished citizen.

The joint resolution passes its second and third readings and is ordered enrolled.

H. B. 686, Committee Substitute for **H. B. 686,** a bill to amend G. S. 148-22(b) to allow for increased cooperation between the Department of Correction and other public and private agencies in order to improve the delivery of mental health services to inmates of the Department of Correction.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 721, a bill to amend G. S. 115-55 relative to the filling of vacancy in the office of a county or city superintendent.

The bill passes its second and third readings and is ordered enrolled.

H. B. 752, a bill to require maps filed in Onslow County, pursuant to G. S. 47-30, to be 18 inches by 24 inches.

Senator Renfrow offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 781, a bill to amend Chapter 180 of the Session Laws of 1975 entitled "Charter for the City of Morganton," upon third reading.

The bill passes its third reading by roll-call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray,

Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lawing, Marvin, Mathis, Popkin, Rauch, Raynor, Renfrow, Scott, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 39.

The bill is ordered enrolled.

H. B. 798, a bill to incorporate the Town of Rennert in Robeson County, upon third reading.

The bill passes its third reading by roll-call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lawing, Marvin, Mathis, Popkin, Rauch, Raynor, Renfrow, Scott, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 39.

The bill is ordered enrolled.

H. B. 809, a bill relating to the election of the County Board of Education of Macon County, upon third reading.

The bill passes its third reading by roll-call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lawing, Marvin, Mathis, Popkin, Rauch, Raynor, Renfrow, Scott, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 39.

The bill is ordered enrolled.

H. B. 821, a bill to repeal the highway laws relating to the disposal of surplus material derived from grading.

The bill passes its second and third readings and is ordered enrolled.

Senator Smith of Guilford moves that the vote by which the bill passed its third reading be reconsidered, which motion prevails.

The bill is placed on the Calendar for Thursday, May 5, upon third reading.

H. B. 822, a bill to amend G. S. 136-72 to clarify the authority for establishing the maximum safe load carrying capacity of bridges on the State highway system.

Senator Hardison offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 825, a bill to authorize counties and cities to provide defense counsel for members of volunteer fire departments and rescue squads which receive public funds.

On motion of Senator Renfrow, consideration of the bill is postponed until Monday, May 2.

H. B. 863, a bill to provide for election of members of the Goldsboro City Board of Education and to fix their terms of office.

On motion of Senator Stallings, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 326, an act to provide for the election of members of the Roanoke Rapids Sanitary District Board.

S. B. 376, an act to correct an error in Chapter 16 of the 1977 Session Laws concerning the Commissioners of the Town of Raynham.

S. B. 401, an act to revise the Charter of the Town of Bolton in Columbus County.

S. B. 505, an act to provide that the Topsail Beach Town Commissioners hereafter serve staggered terms.

S. B. 507, an act to authorize the City of Kinston and the County of Lenoir to sell or lease tracts of land by private negotiation.

H. B. 427, an act to repeal Chapter 102 of the Session Laws of 1971, and to provide for the transfer of registered voters so affected.

H. B. 564, an act authorizing appointment of a Board of Equalization and Review for Union County.

H. B. 566, an act to amend Article 12 of Chapter 131 of the General Statutes of North Carolina to provide that bonds issued by a hospital authority and the interest thereon are exempt from State and local taxation.

H. B. 599, an act to amend the Charter of the Town of Scotland Neck to remove the limitation on the authority of the Board of Commissioners to compensate the mayor and members of the Board of Commissioners.

H. B. 646, an act to amend G. S. 143-129 and G. S. 143-131 to increase the minimum dollar amount for which formal and informal bids are required.

H. B. 647, an act to amend G. S. 128-24(4) relating to the retirement of local government employees in Guilford County.

On motion of Senator Hardison, the Senate adjourns to meet Monday at 8:00 P.M.

SEVENTY-NINTH DAY

SENATE CHAMBER,
Monday, May 2, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we are thankful for life and all the possibilities of friendship, service, growth and comprehension. We thank Thee for the example of those who have discovered life to be a thrilling adventure, and who have refused to treat the experiences of life as though they were ordinary and without meaning. Help us to rediscover the miracle of existence and the joy of living. For Thy name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of Friday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Mathis and Winters for today and to Senator Webster for tomorrow, May 3. Leaves of absence granted previously to Senators Swain and Gray are noted.

The President recognizes the following pages serving in the Senate this week: Hailey Barbee, Yaupon Beach; Vincent Brooks, Gastonia; Delores Childers, Mount Holly; Wynne Davenport, Nashville; Elizabeth Davenport, Nashville; Cynthia Hughes, Raleigh; Page Lane, Rocky Mount; Donna Lemmons, Wilson; Bynum Marshall, Madison; Hal Martin, High Point; Laurie McCall, Eden; Kristry McLaurin, Cary; Shannon McLaurin, Cary; Kelvin Parks, Goldsboro; Donna Robinson, Clinton; Jay Ross, Monroe; Treva Watkins; Raleigh; and John Welch, Bryson City.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introdced, read the first time and disposed of as follows:

By Senators Palmer, Hill, and White:

S. B. 593, a bill to appropriate funds for the construction and operation of a Pine Mouse Research Laboratory at Mountain Horticultural Crops Research Station, Fletcher, North Carolina.

Referred to **Appropriations Committee.**

By Senator Renfrow:

S. B. 594, a bill to authorize sanitary districts to exercise exclusive zoning authority within their territories.

Referred to **Local Government and Regional Affairs Committee.**

By Senators Raynor and Popkin:

S. B. 595, a bill to provide a five hundred dollar personal income tax deduction to criminal justice officers possessing five years of law enforcement experience.

Referred to **Finance Committee.**

By Senator Hill:

S. B. 596, a bill to provide for inclusion in gross estate for inheritance tax purposes the value of all gifts made within three years of donor's death.

Referred to **Finance Committee.**

By Senator Hill:

S. B. 597, a bill to allow deductions for individual income tax purposes for contributions made by an individual for the benefit of himself and his spouse to individual retirement accounts, individual retirement annuities, or individual retirement bonds which are deductible for federal income tax purposes, and to exempt from inheritance tax distributions from such retirement plans which are excluded from the decedent's gross estate for federal estate tax purposes, and to make other technical amendments to Chapter 105.

Referred to **Finance Committee.**

By Senator Hill:

S. B. 598, a bill to grant personal representatives discretion to make distributions in cash or kind, without regard to federal income tax basis.

Referred to **Finance Committee.**

By Senator Henley:

S. J. R. 599, a joint resolution urging the government of the United States to maintain its diplomatic relations and the mutual defense treaty with the Republic of China; and for other purposes.

Referred to **Rules and Operation of the Senate Committee.**

By Senators Hardison, Renfrow, Whichard, Wynne, Henley, Stallings, Raynor, Harrington, Jordan, Rauch, Combs, Smith of Guilford, Scott, Walker, and Alford:

S. B. 600, a bill to revive and improve certain provisions of Chapter 75 of the General Statutes, to protect the citizens of North Carolina from unfair, unethical, deceptive and unscrupulous business practices.

Referred to **State Government Committee.**

By Senator Whichard:

S. B. 601, a bill to authorize withdrawal of erroneous bids on public construction contracts.

Referred to **Judiciary I Committee.**

By Senator Whichard:

S. B. 602, a bill to appropriate funds to implement the State Land Resources Act.

Referred to **Appropriations Committee.**

By Senators Winters, Wynne, Renfrow, Stallings, Lake, and Jordan:

S. B. 603, a bill to amend G. S. 116-7(c) with reference to the filling of vacancies on the Board of Governors.

Referred to **University Board of Governors Committee.**

By Senators Winters, Wynne, Stallings, and Jordan:

S. B. 604, a bill to amend G. S. 116-7 with reference to the age limit for members of the Board of Governors.

Referred to **University Board of Governors Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 235, Committee Substitute for S. B. 235, a bill to amend G. S. 20-37.5 relative to the definition of handicapped and to amend G. S. 20-37.6 relative to parking privileges for the handicapped, for concurrence in the House amendments.

On motion of Senator Davis, the rules are suspended, and the Committee Substitute bill is placed on the Calendar for immediate consideration.

On motion of Senator Davis, the Senate concurs in House Amendment No. 1 and upon objection the bill remains on the Calendar for concurrence in House Amendment No. 2.

S. B. 258, a bill to require a funeral director's license to relocate graves, for concurrence in the House amendment which is placed on the Calendar for tomorrow, May 3.

S. B. 286, a bill to provide a supplemental retirement fund for firemen in the City of Roanoke Rapids and to modify the application of G. S. 118-5, G. S. 118-6, and G. S. 118-7 to the City of Roanoke Rapids, for concurrence in the House amendment which is placed on the Calendar for tomorrow, May 3.

H. B. 73, a bill to amend G. S. 14-269.1 by providing that confiscated weapons not disposed of pursuant to G. S. 14-269.1(a)(1) through (4) shall be turned over to the State Bureau of Investigation, and to make private use by a law enforcement officer of a confiscated weapon a misdemeanor.

Referred to **Judiciary I Committee.**

H. B. 204, a bill providing for the adoption and use of test to assure that high school graduates possess skills and knowledge necessary to function in society.

Referred to **Education Committee.**

H. B. 482, a bill to provide benefits to uniformed weight station personnel now available to State highway patrolmen and to inspectors of the License and Theft Section.

Referred to **Law Enforcement and Crime Control Committee.**

H. B. 546, a bill to amend G. S. 147-50 relating to "publications of State officials and department heads, furnished to certain institutions, agencies, etc."

Referred to **State Government Committee.**

H. B. 547, a bill to repeal G. S. 147-54 and to substitute therefor provisions for the distribution and sale of the North Carolina Manual.

Referred to **State Government Committee.**

H. B. 548, Committee Substitute for **H. B. 548**, a bill to revise G. S. 147-45 in relation to the distribution of State publications.

Referred to **State Government Committee.**

H. B. 661, a bill to authorize and empower the Town Council of the Town of Southern Pines to construct and install, or contract for the construction and installation, of local improvements on its public streets and alleys, and to specially assess such portion of the costs thereof, exclusive of that incurred at street intersections, as it may determine against the property abutting upon such public street or alley so improved; and prescribing the procedure therefor.

Referred to **Local Government and Regional Affairs Committee.**

H. J. R. 664, a joint resolution honoring the memory of Dennis Franklin Spinnett and Robert Glenn Crawford, two Thomasville police officers, who risked and lost their lives in the line of duty.

Referred to **Rules and Operation of the Senate Committee.**

H. B. 680, a bill to amend the General Statutes to provide for freedom of choice by patients relating to psychological services.

Referred to **Human Resources Committee.**

H. B. 692, Committee Substitute for **H. B. 692**, a bill to permit employees of the Village of Pinehurst to participate in the Local Government Employees' Retirement System.

Referred to **Local Government and Regional Affairs Committee.**

H. J. R. 701, a joint resolution honoring Margaret E. Harper of Lenoir for her outstanding contributions to her community and the State.

On motion of Senator Lawing, the rules are suspended, and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second and third readings and is ordered enrolled.

May 2, 1977

H. B. 732, a bill to amend G. S. 97-38 of the Workmen's Compensation Act concerning proximate cause.

Referred to **Manufacturing, Labor and Commerce Committee.**

H. B. 733, a bill to amend G. S. 97-85 of the Workmen's Compensation Act concerning the review of awards of the Industrial Commission.

Referred to **Manufacturing, Labor and Commerce Committee.**

H. B. 794, a bill to provide that in Sampson County pistol permits shall be issued by the Sheriff, or his designated deputy and that a fee to be set by the Board of County Commissioners shall be charged for each permit.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 796, a bill to amend G. S. 14-401.5 to prohibit the practice of phrenology, palmistry, fortune-telling or clairvoyance in Columbus County.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 813, Committee Substitute for **H. B. 813,** a bill to permit the City of Charlotte and the incorporated cities and towns in Cumberland County to increase their license tax levy on motor vehicles.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 834, a bill to authorize all incorporated towns in Mecklenburg County to exercise extraterritorial zoning.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 910, a bill to authorize the State Treasurer to use a facsimile signature to sign checks and warrants, and to authorize a deputy treasurer to sign instruments during the absence or disability of the Treasurer.

Referred to **Finance Committee.**

H. B. 911, a bill to amend the Local Government Finance Act to provide that bonds or notes issued thereunder are securities eligible for investment.

Referred to **Finance Committee.**

H. B. 912, a bill to amend G. S. 159-161 to extend the time within which general obligation bond anticipation notes shall be payable.

Referred to **Finance Committee.**

H. B. 913, a bill to amend G. S. 142-1 to permit bonds or certificates of debt of the State to be paid at banks or trust compaines either within or without the State and to authorize payment of fees for services rendered by such banks or trust companies.

Referred to **Finance Committee.**

H. B. 925, a bill to create the offense of indecent exposure of sexual devices.

Referred to **Judiciary I Committee.**

H. B. 944, a bill concerning payment of interest on life insurance death benefits from date of death to date of payment to beneficiary.

Referred to **Insurance Committee.**

H. B. 945, a bill to authorize the Secretary of State to dispose of surplus copies of the Public Laws and Session Laws of North Carolina.

Referred to **State Government Committee.**

H. J. R. 979, a joint resolution commemorating the one hundredth anniversary of public health in North Carolina.

Referred to **Rules and Operation of the Senate Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 38, a bill to amend G. S. Chapter 105 to remove sex discrimination from certain revenue laws, upon second reading.

On motion of Senator Rauch, consideration of the bill is postponed until tomorrow, May 3.

S. B. 78, Committee Substitute for S. B. 78, a bill to amend G. S. 115-25 relative to the eligibility of school employees and district committee members to serve on boards of education.

The Committee Substitute bill passes its second reading.

On objection of Senator White to its third reading the Committee Substitute bill remains on the Calendar.

S. B. 346, a bill to increase the fee for replacing lost certificates of motorboat number.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 379, a bill to extend to counties the power presently granted to cities to borrow money and issue general obligation bonds to pay capital costs for providing public transportation systems, upon second reading.

The bill passes its second reading by roll-call vote, ayes 40, noes 2, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Daniels, Davis, Garrison, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lawing, Marion, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Soles, Speed, Stallings, Totherow, Vickery, Walker, Webster, Whichard, White, and Wynne — 40.

Those voting in the negative are: Senators Smith of New Hanover and Somers — 2.

The bill remains on the Calendar upon third reading.

S. B. 475, a bill to amend G. S. 139-28 to increase the possible term of years for watershed district debts, upon second reading.

The bill passes its second reading by roll-call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Davis, Garrison, Hardison, Harris,

Henley, Hill, Jordan, Kincaid, Lawing, Marion, Marvin, McDuffie, Palmer, Popkin, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Totherow, Vickery, Walker, Webster, Whichard, White, and Wynne — 40.

The bill remains on the Calendar upon third reading.

S. B. 476, a bill to repeal G. S. 146-6.1 requiring registration of earth-moving equipment in the coastal area.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 85, a bill to amend G. S. Chapter 105 to remove sex discrimination from certain revenue laws, upon second reading.

The bill passes its second reading by roll-call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Crawford, Davis, Garrison, Hardison, Harris, Henley, Hill, Jordan, Kincaid, Lawing, Marion, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Totherow, Vickery, Walker, Webster, White, and Wynne — 40.

The bill remains on the Calendar upon third reading.

H. J. R. 133, a joint resolution memorializing Congress to consider the advisability of making payments in lieu of property taxes to local units of government within which large amounts of federal land are located or large numbers of military personnel are situated.

The joint resolution passes its second and third readings and is ordered enrolled.

H. B. 472, a bill to provide for use of transporter plates by house trailer or mobile home movers.

The bill passes its second and third readings and is ordered enrolled.

H. B. 516, a bill to amend G. S. 105-152 to include the exemptions for the blind and persons 65 and older in order to determine who shall file an income tax return.

The bill passes its second reading.

On objection of Senator Jordan to its third reading the bill remains on the Calendar.

H. B. 677, a bill to amend Chapter 161 of the General Statutes to increase the fee for furnishing certified copies of birth and death certificates and marriage licenses from one dollar to two dollars, upon second reading.

The bill passes its second reading by roll-call vote, ayes 35, noes 1, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Davis, Garrison, Hardison, Harris, Henley, Hill, Jordan, Kincaid, Marion, Palmer, Rauch, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Totherow, Vickery, Walker, Webster, Whichard, White, and Wynne — 35.

Voting in the negative is Senator Popkin — 1.

The bill remains on the Calendar upon third reading.

H. B. 825, a bill to authorize counties and cities to provide defense counsel for members of volunteer fire departments and rescue squads which receive public funds.

The bill passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 82, an act to be known as the North Carolina Commercial Fertilizer Law.

S. J. R. 259, a joint resolution recognizing Gastonia as basketball center of North Carolina.

S. J. R. 271, a joint resolution honoring the service and memory of General William Lee Davidson.

S. B. 344, an act to transfer the State Employee Meritorious Service Award System for employee suggestions from the State Personnel System to the Secretary of Administration.

S. J. R. 452, a joint resolution honoring the life, service and memory of Alexander Hawkins Graham, former Lieutenant Governor and former member of the North Carolina General Assembly.

S. J. R. 458, a joint resolution honoring Billy Ray Cameron, past Commander of North Carolina Veterans of Foreign Wars, and candidate for National Junior Vice-Commander of Veterans of Foreign Wars.

S. J. R. 519, a joint resolution commending the New York Yankees Baseball Club for its visit to North Carolina.

H. B. 304, Committee Substitute for **H. B. 304**, an act to amend G. S. 1A-1, Rule 41(d), to provide that the trial judge shall stay proceedings of revived lawsuits in which costs have not been paid until such costs are paid.

H. B. 318, Committee Substitute for **H. B. 318**, an act to amend Chapter 929 of the 1975 Session Laws relating to the commitment of noncriminal juvenile offenders to juvenile institutions for delinquents.

H. B. 364, an act to authorize Alamance County Board of Education to dispose of certain land by private sale, which is a part of the Elon College Elementary School property.

H. B. 380, Committee Substitute for **H. B. 380**, an act to amend G. S. 153A-159 to authorize Union County to use condemnation procedures pro-

vided in Article 9 of Chapter 136 of the General Statutes in the exercise of its power of eminent domain.

H. B. 477, a bill to permit Currituck County to levy license taxes upon the operation of campgrounds and outdoor advertising businesses.

H. B. 517, an act to amend G. S. 25-9-403(3) concerning financing statements.

H. B. 523, an act to increase the membership of the Guilford County Board of Education from five to seven members.

H. B. 585, an act to revise and consolidate the Charter of the City of Statesville and to repeal prior Charter acts.

H. J. R. 617, a joint resolution honoring Archie Travers Lane, Sr., a former member of the North Carolina General Assembly and distinguished citizen.

H. B. 648, an act to amend Chapter 704, Section 1, Session Laws of 1943 relating to funds for burial of indigents in Guilford County.

H. B. 686, Committee Substitute for **H. B. 686**, an act to amend G. S. 148-22(b) to allow for increased cooperation between the Department of Correction and other public and private agencies in order to improve the delivery of mental health services to inmates of the Department of Correction.

H. B. 709, an act to authorize the Camden County Board of Commissioners to enter into a lease of a certain parcel of real property owned by the County for a term of up to 99 years.

H. B. 721, an act to amend G. S. 115-55 relative to the filling of vacancy in the office of a county or city superintendent.

H. B. 725, an act to amend Chapter 1151, Session Laws of 1949 to provide staggered terms of four years for the Board of County Commissioners of Hyde County.

H. B. 743, Committee Substitute for **H. B. 743**, an act to amend Chapter 385 of the Public-Local Laws of 1921, relating to pensions for school teachers of New Hanover County.

H. B. 763, an act to amend the 1927 Session Laws to permit the election of Yanceyville Sanitary District Board Members in staggered terms.

H. B. 777, an act authorizing appointment of a Board of Equalization and Review for Anson County.

H. B. 781, an act to amend Chapter 180 of the Session Laws of 1975 entitled "Charter for the City of Morganton."

H. B. 798, an act to incorporate the Town of Rennert in Robeson County.

H. B. 809, an act relating to the election of the County Board of Education of Macon County.

H. B. 837, an act to provide a supplemental retirement fund for firemen in the City of Eden and to modify the application of G. S. 118-5, G. S. 118-6, and G. S. 118-7 to the City of Eden.

H. B. 849, an act to provide for five members of the Camden County Board of Commissioners, three elected from districts and two elected at large, and providing for staggered terms of four years, subject to a referendum of the voters of the County.

H. B. 860, an act to authorize the City of Lincolnton and the County of Lincoln to establish and operate a joint airport.

H. J. R. 952, a joint resolution fixing the time and place for a joint session of the Senate and House of Representatives to act on confirmation of appointments made by the Governor to membership on the State Board of Education.

H. B. 953, an act to amend Chapter 497 of the 1965 Session Laws relating to commissioners for the Town of Denton.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:30 P.M.

EIGHTIETH DAY

SENATE CHAMBER,
Tuesday, May 3, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we would assemble here today in the spirit of praise and thanksgiving. If we find life difficult at times, and are puzzled by the turn of events, help us to remember that even as heavy loads develop the muscles of the body, so difficult circumstances may develop character and spiritual discernment. And most of all, may we remember that we never walk alone. And to Thee shall be the praise. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Stallings for today, and tomorrow, May 4. Leaves of absence granted previously to Senators Swain, Gray, and Webster are noted.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. J. R. 952

HOUSE OF REPRESENTATIVES
May 3, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that pursuant to **H. J. R. 952**, a joint resolution fixing the time and place for a Joint Session of the Senate and House of Representatives to act on confirmation of appointments made by the Governor to membership on the State Board of Education, the House of Representatives stands ready to receive the Senate in Joint Session at the hour appointed.

Respectfully,
GRACE A. COLLINS
Principal Clerk

The President orders a special message be sent to the House of Representatives informing that Honorable Body that the Senate stands ready to repair to the Hall of the House pursuant to **H. J. R. 952** fixing the time and place to meet in Joint Session for the purpose of confirmation of the State Board of Education appointees.

On motion of Senator Henley, the Senate recesses to meet in Joint Session in the House of Representatives for the purpose of considering confirmation of the Governor's appointments to membership on the State Board of Education and upon dissolution of the Joint Session, to return to its chamber to resume consideration of business.

JOINT SESSION

The Senate is received by the members of the House of Representatives standing, and the Joint Session is called to order by Lieutenant Governor James C. Green.

The Clerk of the Senate calls the roll of the Senate and the following members answer the call: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Totherow, Vickery, Walker, Whichard, White, Winters, and Wynne — 46.

The Clerk of the House of Representatives calls the roll of the House of Representatives and the following members answer the call: Speaker Stewart, Representatives Adams, Auman, Baker, Barbee, Barker, Beard, Bell, Bissell, Brennan, Bright, Brubaker, Bumgardner, Bundy, Campbell, Chapin, Chase, Church, Clarke, Collins, Creech, Cullipher, Davenport, DeBruhl, DeRamus, Diamont, Duncan, Easterling, Economos, Edwards, Ellis, Enloe, Erwin, Ezzell, Falls, Farmer, Foster, Frye, Fulcher, Gardner, Gentry, Gilmore, Grady, Gregory, Greenwood, Griffin, Hairston, Hall, Harris of Lee, Harris of Alamance, Helms, Hightower, Holmes, Holroyd, Holt of Alamance, Holt of Cumberland, Hunt, Hunter, Hurst, Huskins, Hux, James, Jernigan, Johnson of Wake, Jones, Kaplan, Lachot, Lambeth, Lilley, Locklear, Lutz, McMillan, Martin, Mason, Messer, Michaux, Miller, Morgan, Morris, Nash, Nesbitt, Nye, Parnell, Pickler, Plyler, Poovey, Pugh, Quinn, Ramsey, Ray, Revelle, Rhodes, Rountree, Sawyer, Schwartz, Setzer, Seymour, Short, Smith of Rowan, Smith of Forsyth, Spoon, Tally, Taylor, Tennille, Thomas, Tison, Tyson, Varner, Ward, Watkins, Webb, White of Caldwell, White of Dare, Wiseman, Woodard, and Wright — 116.

A quorum of each House being declared present, the Joint Session proceeds with the business for which it convenes.

The President directs the Reading Clerk of the Senate to read the following message from the Governor:

April 8, 1977

Dear Jimmy:

My letter to you of April 4, 1977, submitting four appointments for the State Board of Education contained two errors. I intended to appoint Dr. H. David Bruton to fill the expired term of Mrs. Mildred Strickland and the Reverend C. R. Edwards to fill the unexpired term of Richard C. Erwin. The letter should have read as follows:

April 4, 1977

THE HONORABLE JAMES C. GREEN
President of the Senate
State of North Carolina
State Legislative Building
Raleigh, North Carolina

Dear Jimmy:

Pursuant to General Statute 115-2, I am submitting my appointments to the State Board of Education for confirmation by the General Assembly in joint session.

District II — Dr. John L. Tart
Route 1
Goldsboro, North Carolina 27530
(to fill the expired term of Dallas Herring)

May 3, 1977

District VIII — Dr. Ben H. Battle
Box 376A
Cullowhee, North Carolina 28723
(to fill the expired term of John M. Reynolds)

At-Large Seat — Dr. H. David Bruton
Southern Pines, North Carolina 28287
(to fill the expired term of Mrs. Mildred Strickland)

At-Large Seat — Reverend C. R. Edwards
312 Moore Street
Fayetteville, North Carolina 28301
(to fill the unexpired term of Richard C. Erwin)

Your assistance in this matter is greatly appreciated.
Please accept my apologies for these errors.

Sincerely,
S/ JAMES B. HUNT, JR.

Senator Sebo, for Senator Stallings, Chairman of the Senate Committee on Education, submits the following report:

REPORT OF SENATE EDUCATION COMMITTEE ON APPOINTMENTS TO THE STATE BOARD OF EDUCATION

The Senate Committee on Education met on Tuesday, April 26, 1977, at which time the Committee, by unanimous vote, recommended that the appointees to the State Board of Education be confirmed by a Joint Session of the House and Senate. The appointees are:

Dr. Ben H. Battle
Dr. H. David Bruton
Dr. John L. Tart

D. LIVINGSTONE STALLINGS
Chairman Education Committee

Representative Quinn, Chairman of the House Committee on Education, submits the following report:

REPORT OF COMMITTEE ON EDUCATION

The House Committee on Education met on Thursday, April 21, 1977, at which time the Committee, by unanimous vote, recommended that the appointees to the State Board of Education be confirmed by a Joint Session of the House and Senate. The appointees are:

Dr. Ben H. Battle
Dr. H. David Bruton
Dr. John L. Tart

DWIGHT W. QUINN
Chairman Education Committee

May 3, 1977

The Committees on Education of the Senate and House of Representatives agree that confirmation of the Reverend C. R. Edwards is not required as he received his oath of office prior to this Joint Session date.

On motion of Representative Quinn, seconded by Senator Sebo, the Governor's appointments to the State Board of Education are confirmed.

On motion of Senator Henley, the Joint Session is dissolved and the Senate returns to its Chamber.

The Senate resumes consideration of its regular business.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Winters for the **Alcoholic Beverage Control Committee:**

S. B. 513, Committee Substitute for **S. B. 513,** a bill changing the method by which the profits of the Halifax County Board of Alcoholic Control shall be distributed, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Winters, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

H. B. 792, a bill to authorize the State Board of Alcoholic Control to increase the permit for issuing a retail license fee from twenty-five dollars to fifty dollars, and to increase the price of the wholesale permit from twenty-five dollars to one hundred dollars, with a favorable report.

On motion of Senator Winters, the bill is re-referred to the **Finance Committee.**

By Senator White for the **Agriculture Committee:**

S. B. 562, a bill to amend certain sections of the North Carolina Milk Commision Law, with a favorable report, as amended.

On motion of Senator White, the bill is placed on the Calendar for Thursday, May 5.

By Senator Marion for the **Courts and Judicial Districts Committee:**

S. B. 126, a bill to amend G. S. 7A-16 to increase the number of judges of the Court of Appeals from nine judges to twelve judges, with a favorable report.

On motion of Senator Marion, the bill is re-referred to the **Appropriations Committee.**

By Senator Harrington for the **Transportation Committee:**

H. B. 328, a bill to amend G. S. 20-4.01 to omit carpools and vanpools from the classification of "for-hire passenger vehicles," with a favorable report.

H. B. 385, a bill directing the State Board of Education to establish rules and regulations regarding the qualifications of transportation supervisors, with a favorable report.

H. B. 819, a bill to provide for the use of semi-permanent plates for pick-up trucks, motorcycles and trailers to be renewed by use of renewal stickers, with a favorable report, as amended.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Smith of Guilford:

S. B. 605, a bill to provide that service of subpoenas issued by the Industrial Commission can be done by anyone not a party to the action, in accordance with the Rules of Civil Procedure.

Referred to **Manufacturing, Labor and Commerce Committee.**

By Senator Henley:

S. J. R. 606, a joint resolution commemorating the one hundredth anniversary of public health in North Carolina.

Referred to **Rules and Operation of the Senate Committee.**

By Senators Crawford and Swain:

S. B. 607, a bill to appropriate funds for the School of the Handicapped at the Thoms Orthopedic Hospital and Rehabilitation Center, Incorporated.

Referred to **Appropriations Committee.**

By Senators Crawford and Swain:

S. B. 608, a bill to appropriate funds to renovate the Western Carolina Specialty Hospital at Black Mountain.

Referred to **Appropriations Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 53, Committee Substitute for **H. B. 53,** a bill to transfer the North Carolina Drug Commission to the Department of Human Resources.

Referred to **Human Resources Committee.**

H. B. 602, a bill authorizing the Board of Commissioners of Dare County to create a Dare County Game and Wildlife Commission.

Referred to **Wildlife Committee.**

H. J. R. 639, a joint resolution congratulating and commending the Pinecrest High School Girls' Basketball Team of Moore County for its

performance and sportsmanship in winning the State 4-A Conference Basketball Championship.

Referred to **Rules and Operation of the Senate Committee.**

H. B. 731, a bill to amend G. S. 97-2(15) of the Workmen's Compensation Act concerning the definition of widower.

Referred to **Manufacturing, Labor and Commerce Committee.**

H. B. 767, Committee Substitute for **H. B. 767**, a bill to grant authority to the Town of Liberty to make and to assess cost for street improvements.

Referred to **Local Government and Regional Affairs Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 38, a bill to amend G. S. Chapter 105 to remove sex discrimination from certain revenue laws, upon second reading.

On motion of Senator Renfrow the bill is postponed indefinitely.

S. B. 78, Committee Substitute for **S. B. 78**, a bill to amend G. S. 115-25 relative to the eligibility of school employees and district committee members to serve on boards of education, upon third reading.

The Committee Substitute bill passes its third reading and is ordered sent to the House of Representatives.

S. B. 235, Committee Substitute for **S. B. 235**, a bill to amend G. S. 20-37.5 relative to the definition of handicapped and to amend G. S. 20-37.6 relative to parking privileges for the handicapped, as amended, for concurrence in House Amendment No. 2.

On motion of Senator Davis, the Senate concurs in House Amendment No. 2, which is held to be material, constituting the first reading of the bill.

The Committee Substitute bill, as amended, remains on the Calendar upon second reading.

S. B. 258, a bill to require a funeral director's license to relocate graves, for concurrence in the House amendment.

On motion of Senator Harrington, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 286, a bill to provide a supplemental retirement fund for firemen in the City of Roanoke Rapids and to modify the application of G. S. 118-5, G. S. 118-6, and G. S. 118-7 to the City of Roanoke Rapids, for concurrence in the House amendment.

On motion of Senator Allsbrook, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 379, a bill to extend to counties the power presently granted to cities to borrow money and issue general obligation bonds to pay capital cost for providing public transportation systems, upon third reading.

The bill passes its third reading by roll-call vote, ayes 41, noes 1, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Totherow, Walker, Whichard, White, and Wynne — 41.

Voting in the negative is Senator Somers — 1.

The bill is ordered sent to the House of Representatives.

S. B. 442, a bill to amend Chapter 929 of the 1975 Session Laws relating to the commitment of noncriminal juvenile offenders to juvenile institutions for delinquents.

On motion of Senator Hardison, the bill is postponed indefinitely.

S. B. 475, a bill to amend G. S. 139-28 to increase the possible term of years for watershed district debts, upon third reading.

The bill passes its third reading by roll-call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Totherow, Walker, Whichard, White, Winters, and Wynne — 43.

The bill is ordered sent to the House of Representatives.

S. B. 513, Committee Substitute for **S. B. 513,** a bill changing the method by which the profits of the Halifax County Board of Alcoholic Control shall be distributed.

On motion of Senator Winters, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Thursday, May 5.

S. B. 516, a bill to prohibit operation of bicycles with helper motors during period of revocation or suspension, as amended.

Senator Marion offers Amendment No. 2 which is adopted.

The bill, as amended, fails to pass its second reading.

H. B. 85, a bill to amend G. S. Chapter 105 to remove sex discrimination from certain revenue laws, upon third reading.

The bill passes its third reading by roll-call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Totherow, Walker, Whichard, White, Winters, and Wynne — 43.

The bill is ordered enrolled.

H. B. 509, a bill to authorize certain precinct officials to assist voters in marking ballots under certain circumstances.

Senator McDuffie offers Amendment No. 1 which is adopted.

Senator Somers offers Amendment No. 2 which fails of adoption.

Senator McDuffie calls the previous question, duly seconded. The call is sustained.

The bill passes its second reading.

On objection of Senator Smith of New Hanover to its third reading the bill, as amended, remains on the Calendar.

H. B. 516, a bill to amend G. S. 105-152 to include the exemptions for the blind and persons 65 and older in order to determine who shall file an income tax return, upon third reading.

On motion of Senator Rauch, consideration of the bill is postponed until Wednesday, May 4.

H. B. 677, a bill to amend Chapter 161 of the General Statutes to increase the fee for furnishing certified copies of birth and death certificates and marriage licenses from one dollar to two dollars, upon third reading.

The bill passes its third reading by roll-call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Totherow, Walker, Whichard, White, Winters, and Wynne — 43.

The bill is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. J. R. 133, a joint resolution memorializing Congress to consider the advisability of making payments in lieu of property taxes to local units of government within which large amounts of federal land are located or large numbers of military personnel are situated.

H. B. 472, an act to provide for use of transporter plates by house trailer or mobile home movers.

H. J. R. 701, a joint resolution honoring Margaret E. Harper of Lenoir for her outstanding contributions to her community and the State.

H. B. 752, an act to require maps filed in Onslow County, pursuant to G. S. 47-30, to be 18 inches by 24 inches and to make State mapping requirements applicable to Sampson County.

H. B. 822, an act to amend G. S. 136-72 to clarify the authority for establishing the maximum safe load carrying capacity of bridges on the State highway system.

H. B. 825, an act to authorize counties and cities to provide defense counsel for members of volunteer fire departments and rescue squads which receive public funds.

H. B. 863, an act to provide for election of members of the Goldsboro City Board of Education and to fix their terms of office.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:30 P.M.

EIGHTY-FIRST DAY

SENATE CHAMBER,
Wednesday, May 4, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, in a world of change, how grateful we are for the knowledge that Thou art the same, yesterday, today and forever — not changeless in the sense of being static or motionless, but changeless in the sense that Thou are forever at work among us helping the blind to see, the lame to walk and the deaf to hear. May this divine constancy inspire in us a determination to be reliable and trustworthy in our relationship to Thee and to our fellowman. For Thy name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

Leaves of absence granted previously to Senators Gray and Stallings are noted.

APPOINTMENT

Pursuant to G. S. 113B-1, the President appoints Senator Walker and Senator Barnes as members of the Energy Policy Council for a term expiring January 31, 1979.

S. B. 345, a bill to provide for a more equitable reimbursement for the erroneous imprisonment of prisoners pardoned for innocence.

On motion of Senator Swain the rules are suspended and the bill is taken from the **Appropriations Committee** and re-committed to the **Judiciary I Committee.**

S. B. 516, a bill to prohibit operation of bicycles with helper motors during period of revocation or suspension.

Senator Davis moves that the vote by which the bill, as amended, failed to pass its second reading be reconsidered.

Senator Smith of New Hanover moves that the motion to reconsider the vote by which the bill, as amended, failed to pass its second reading do lie upon the table, which motion fails to prevail.

The motion to reconsider the vote by which the bill, as amended, failed to pass its second reading prevails and the bill, as amended, is placed on the Calendar for today.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Marion for the **Courts and Judicial Districts Committee:**

S. B. 125, Committee Substitute for **S. B. 125,** a bill to amend G. S. 7A-41 to authorize additional resident superior court judges and assistant district attorneys in various judicial districts, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senaor Marion, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

By Senator Totherow for the **Insurance Committee:**

S. B. 247, a bill to amend the General Statutes to take jurisdiction over theft of and physical damage to motor vehicles insurance from the North Carolina Fire Insurance Rating Bureau and place it with the North Carolina Automobile Rate Administrative Office, with a favorable report, as amended.

H. B. 398, a bill to amend the General Statutes to provide that for purposes of assessment under Article 17B of Chapter 58 premiums otherwise reported by servicing insurers under the Fair and Beach Plans shall be deemed to be the premiums of the insurers participating in those plans, with a favorable report.

By Senator Britt for the **Judiciary II Committee:**

S. B. 216, a bill to authorize the Joint Legislative Commission on Governmental Operations to issue subpoenas and administer oaths to individuals other than State officials, and to amend the procedures for punishment for contempt before a legislative committee, with a favorable report.

S. B. 377, a bill to regulate possession and use of firearms on public highways in Scotland County, with a favorable report, as amended.

H. B. 596, Committee Substitute for **H. B. 596,** a bill declaring that judgements of divorce entered by courts of competent jurisdiction without conclusions of law that the plaintiff was entitled to an absolute divorce are valid and of full force and effect, with a favorable report.

By Senator Soles for the **Local Government and Regional Affairs Committee:**

S. B. 250, a bill to grant the City of Greenville additional powers of assessments, with a favorable report.

S. B. 498, a bill to amend Chapter 757 of the Session Laws of 1953 relating to the Civil Service Commission of the City of Asheville, with a favorable report.

S. B. 583, a bill to ratify and validate the proceedings for the establishment of Chowan County Drainage District Number Three, with a favorable report.

H. B. 163, Committee Substitute for **H. B. 163,** a bill to authorize the City of Wilson to enact and enforce ordinances regulating the planting, maintenance, and removal of trees on public areas and rights-of-way and for the pruning, treatment and removal of trees on private property which endanger public health, safety or welfare within the City of Wilson, with a favorable report, as amended.

H. B. 428, a bill to amend Chapter 473 of the Session Laws of 1975 relating to the Charter of the Town of Chapel Hill, with a favorable report.

H. B. 464, a bill to grant the City of Greenville additional powers of assessments, with a favorable report.

H. B. 605, a bill to amend the Charter of the Town of Rolesville to provide for the election of the Mayor and Board of Commissioners, with a favorable report.

H. B. 637, a bill to amend Chapter 717 of the 1975 Session Laws relative to the nomination and election of members of the Wake County Board of Education, with a favorable report.

H. B. 670, a bill to amend the Charter of the City of Fayetteville concerning insurance death benefits of city employees, with a favorable report.

H. B. 692, Committee Substitute for **H. B. 692,** a bill to permit employees of the Village of Pinehurst to participate in the Local Government Employees' Retirement System, with a favorable report.

H. B. 724, a bill to authorize the Town of Carrboro to purchase insurance to protect its officers, agents or employees against liability for damages caused by their wrongful acts or omissions performed within the scope of their duties, with a favorable report.

H. B. 741, a bill to revise and consolidate the Charter of the City of Wilmington, with a favorable report.

On motion of Senator Soles, the bill is placed on the Calendar for Thursday, May 12.

H. B. 757, Committee Substitute for **H. B. 757**, a bill to revise and consolidate the Charter of the Town of Garner and to repeal prior local acts, with a favorable report.

H. B. 761, a bill to amend Chapter 591 of the 1953 Session Laws to allow the registration of maps made of different materials in Caswell County, with a favorable report.

H. B. 784, a bill to amend the Charter of the Town of Pinebluff relating to the term of the Mayor and Town Commissioners, with a favorable report.

H. B. 785, Committee Substitute for **H. B. 785**, a bill to provide a supplemental retirement fund for firemen in the City of Conover and to modify the application of G. S. 118-5, G. S. 118-6, and G. S. 118-7 to the City of Conover, with a favorable report.

H. B. 794, a bill to provide that in Sampson County pistol permits shall be issued by the Sheriff, or his designated deputy and that a fee to be set by the Board of County Commissioners shall be charged for each permit, with a favorable report.

H. B. 796, a bill to amend G. S. 14-401.5 to prohibit the practice of phrenology, palmistry, fortune-telling or clairvoyance in Columbus County, with a favorable report.

H. B. 805, a bill to abolish the office of coroner in Stokes County, with a favorable report.

H. B. 816, a bill authorizing the establishment of mass transit districts in Gaston County, with a favorable report.

H. B. 844, a bill to authorize the Craven County Commissioners to fix compensation for the members of the Craven County Board of Education, with a favorable report.

H. B. 888, a bill to authorize certain governmental units in Lincoln County to dispose of obsolete personal property, with a favorable report.

H. B. 906, a bill to amend the Public-Local Laws relating to the Bureau of Identification for Wake County, with a favorable report.

H. B. 955, a bill to control the setting of annexation dates for the City of Raleigh, with a favorable report.

H. B. 957, a bill to delete Alamance County from the provisions of Chapter 729 of the 1901 Session Laws, with a favorable report.

H. B. 958, a bill to incorporate the Town of Dortches in Nash County, with a favorable report, as amended.

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H. B. 959, a bill amending Chapter 209 of the Session Laws of 1973, which provided a supplemental retirement fund for firemen in the City of Lincolnton, with a favorable report.

By Senator Henley for the **Rules and Operation of the Senate Committee:**

S. J. R. 582, a joint resolution extending goodwill and best wishes to Her Majesty, Elizabeth II, Queen of England, in the twenty-fifth year of her reign, with a favorable report.

H. B. 409, a bill to authorize the Joint Legislative Commission of Governmental Operations to issue subpoenas and administer oaths to individuals other than State officials, and to amend the procedures for punishment for contempt before a legislative committee, with a favorable report.

By Senator Whichard for the **State Government Committee:**

H. B. 278, a bill to amend G. S. 128-21 to render certain full-time paid volunteer firemen eligible for membership in the North Carolina Local Governmental Employee's Retirement System, with a favorable report.

H. B. 362, Committee Substitute for **H. B. 362,** a bill to amend G. S. 135-4(1) for the General Statutes relating to purchase of dependent schools service, with a favorable report.

H. B. 435, a bill to amend the General Statutes relating to participation of regional public libraries in the Local Governmental Employees' Retirement System, with a favorable report.

H. B. 479, a bill to amend G. S. 20-183.10 relative to weight station personnel, with a favorable report.

H. B. 567, Committee Substitute for **H. B. 567,** a bill to amend G. S. 147-11.1 to provide succession to the Governor, with an unfavorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Hill:

S. B. 609, a bill to abolish the Civil Service Commission in the City of Hendersonville, North Carolina.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Daniels:

S. B. 610, a bill to amend G. S. 53-117 concerning the appointment by the Commissioner of Banks of state bank examiners, assistant state bank examiners, clerks and stenographers.

Referred to **Banking Committee.**

By Senators Garrison and Jordan:

S. B. 611, a bill appropriating funds to the North Carolina Department of Agriculture for expansion of the Animal Disease Diagnostic Laboratory in Union County, North Carolina, and appropriating further funds for the operation thereof.

Referred to **Appropriations Committee.**

By Senators Harris and Henley:

S. B. 612, a bill to amend Article 2, Part 5 of Chapter 108 of the General Statutes to provide for periods of ineligibility for medical assistance in cases where real property is transferred for the purpose of qualifying for such assistance.

Referred to **Human Resources Committee.**

By Senators Harrington, Rauch, Stallings, Royall, Henley, Garrison, Hill, Harris, Jordan, Hardison, Vickery, Alford, Speed, McDuffie, Daniels, Smith of New Hanover, Barnes, Sebo, Smith of Guilford, Palmer, Sharpe, Soles, Ballenger, Marvin, Wynne, Scott, Somers, Marion, Childers, Webster, Renfrow, Totherow, Combs, Walker, Whichard, Raynor, Allsbrook, and White:

S. B. 613, a bill to authorize the issuance of three hundred million dollars of bonds of the State to provide funds for the construction of highways subject to a vote of the qualified voters of the State.

Referred to **Transportation Committee.**

By Senators Garrison and Jordan:

S. B. 614, a bill to appropriate funds from the Highway Fund for the benefit of the State Highway Patrol Troop H.

Referred to **Appropriations Committee.**

By Senators Vickery and Walker:

S. B. 615, a bill to provide that the Town of Chapel Hill and the County of Orange each has one representative on the Raleigh-Durham Airport Authority.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Raynor:

S. B. 616, a bill to amend G. S. 7A-304(a)(1) and G. S. 7A-311(a)(1) to increase the fee for service of criminal and civil process.

Referred to **Finance Committee.**

By Senator Davis:

S. B. 617, a bill to amend G. S. 95-138 concerning civil penalties.

Referred to **Judiciary II Committee.**

By Senators Jordan, Royall, Hardison, Garrison, Totherow, Henley, Renfrow, Vickery, Speed, Alford, and Whichard:

S. B. 618, a bill relating to primary forest product assessment.
Referred to **Finance Committee.**

By Senators Jordan, Renfrow, Garrison, Speed, Alford, Whichard, and Vickery:

S. B. 619, a bill to appropriate funds to the Department of Natural and Economic Resources for implementation of the Forest Development Act.
Referred to **Appropriations Committee.**

By Senators Jordan, Royall, Hardison, Garrison, Totherow, Henley, Renfrow, Speed, Alford, Whichard, and Vickery:

S. B. 620, a bill relating to forest development in North Carolina.
Referred to **Finance Committee.**

By Senators Smith of Guilford, Stallings, Alexander, Davis, Combs, Marvin, Marion, McDuffie, Mathis, Totherow, Kincaid, Garrison, Jordan, Renfrow, Ballenger, Sharpe, Webster, Gray, Wynne, Walker, Alford, Whichard, and Hill:

S. B. 621, a bill to repeal G. S. 20-140(c) which provides that any person who drives after consuming an amount of intoxicating liquor which affects his driving shall be guilty of reckless driving and which provides that this offense shall be a lesser included offense of driving under the influence of intoxicating liquor.
Referred to **Judiciary II Committee.**

By Senators Rauch and Marvin:

S. B. 622, a bill to amend Articles IV and VI of the Constitution of North Carolina to allow a recall election of all elected officials upon petition of twenty-five per cent of the voters who cast ballots in the last gubernatorial election.
Referred to **Constitutional Amendments Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 606, a bill to amend G. S. 20-141 to define the degree of liability placed upon a motorist who fails to stop his vehicle within the radius of its headlights or the range of his vision.
Referred to **Judiciary II Committee.**

H. B. 826, a bill to amend the biennial licensure fee of the Board of Examiners for Nursing Home Administrators and to authorize examination and training program fees.
Referred to **Human Resources Committee.**

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CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

(Senator Henley presides over a portion of today's Session.)

S. B. 125, Committee Substitute for **S. B. 125**, a bill to amend G. S. 7A-41 to authorize additional resident superior court judges and assistant district attorneys in various judicial districts.

On motion of Senator Marion, the Committee Substitute bill is adopted, and on his further motion is re-referred to the **Appropriations Committee.**

S. B. 142, Committee Substitute for **S. B. 142**, a bill to amend the Guardianship Laws.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 154, Committee Substitute for **S. B. 154**, a bill to rewrite the law regarding wrongful death in order to resolve inconsistency and to provide for a logical distribution of a recovery.

On motion of Senator Soles, consideration of the Committee Substitute bill is postponed until Wednesday, May 18.

S. B. 235, Committee Substitute for **S. B. 235**, a bill to amend G. S. 20-37.5 relative to the definition of handicapped and to amend G. S. 20-37.6 relative to parking privileges for the handicapped, as amended, upon second reading.

The Committee Substitute bill, as amended, passes its second reading by roll-call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Garrison, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guliford, Smith of New Hanover, Soles, Somers, Speed, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 46.

The Committee Substitute bill, as amended, remains on the Calendar upon third reading.

S. B. 503, a bill to allow appeal of a money judgment in magistrate's court to stay execution of the judgment.

Senator Webster moves that the bill do lie upon the table, which motion fails to prevail.

Senator Smith of New Hanover calls the previous question, seconded by Senator Allsbrook. The call is sustained.

The bill passes its second reading.

On objection of Senator Kincaid to its third reading the bill remains on the Calendar.

S. B. 516, a bill to prohibit operation of bicycles with helper motors during period of revocation or suspension, as amended.

Senator Davis offers Amendment No. 3 which is adopted.

Senator Marion calls the previous question, seconded by Senator Alford. The call is sustained.

The bill, as amended, passes its second reading.

Without objection, the bill, as amended, is placed before the Senate upon third reading.

Senator Royall offers Amendment No. 4.

Senator Marion moves that the bill, as amended, and pending Amendment No. 4, do lie upon the table, which motion prevails.

The bill, as amended, and pending Amendment No. 4 lie upon the table.

H. B. 328, a bill to amend G. S. 20-4.01 to omit carpools and vanpools from the classification of "for-hire passenger vehicles."

The bill passes its second and third readings and is ordered enrolled.

Senator Allsbrook requests to be recorded voting "aye."

H. B. 385, a bill directing the State Board of Education to establish rules and regulations regarding the qualifications of transportation supervisors.

The bill passes its second and third readings and is ordered enrolled.

H. B. 509, a bill to authorize certain precinct officials to assist voters in marking ballots under certain circumstances, as amended, upon third reading.

Senator Somers offers Amendment No. 3. Senator McDuffie calls the previous question, duly seconded. The call is sustained. Amendment No. 3 fails of adoption.

The bill, as amended, passes its third reading and is ordered sent to the House of Representatives for concurrence in Senate Amendment No. 1.

H. B. 516, a bill to amend G. S. 105-152 to include the exemptions for the blind and persons 65 and older in order to determine who shall file an income tax return, upon third reading.

The bill passes its third reading and is ordered enrolled.

H. B. 819, a bill to provide for the use of semi-permanent plates for pick-up trucks, motorcycles and trailers to be renewed by use of renewal stickers, upon second reading.

On motion of Senator Harrington, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading by roll-call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 47.

The bill, as amended, remains on the Calendar upon third reading.

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ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 258, an act to require a funeral director's license to relocate graves.

S. B. 286, an act to provide a supplemental retirement fund for firemen in the City of Roanoke Rapids and to modify the application of G. S. 118-5, G. S. 118-6, and G. S. 118-7 to the City of Roanoke Rapids.

H. B. 85, an act to amend G. S. Chapter 105 to remove sex discrimination from certain revenue laws.

H. B. 677, an act to amend Chapter 161 of the General Statutes to increase the fee for furnishing certified copies of birth and death certificates and marriage licenses from one dollar to two dollars.

On motion of Senator Royall, the Senate adjourns to meet tomorrow at 1:30 P.M.

EIGHTY-SECOND DAY

SENATE CHAMBER,
Thursday, May 5, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"O God of grace and goodness, hear us as we confess our sins to Thee and seek Thy forgiveness; and hear us, too, as we offer praise and thanksgiving to Thee for all Thy great mercy toward us. May we never forget that even as a father pitieth his children, so the Lord pitieth those who reverence Him. In this knowledge of Thy compassion, may we find our peace. In the Redeemer's name we pray. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Kincaid, Somers, and Jordan for tomorrow, Friday, May 6.

S. B. 129, a bill to make Indochina refugees eligible for in-state tuition status.

On motion of Senator Hardison the rules are suspended and the bill is taken from the **Appropriations Committee** and is placed on the Calendar for tomorrow, May 6.

H. B. 402, a bill to provide full salary for two years for State Highway Patrolmen injured in the line of duty.

On motion of Senator Hardison the rules are suspended and the bill is taken from the **Appropriations Committee** and is placed on the Calendar for tomorrow, May 6 as Special Order of Business No. 1.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Stallings for the **Education Committee:**

S. B. 225, a bill to amend G. S. 115-59(e)(f) and (g) relating to school organization reports and allocation of instructional personnel.

On motion of Senator Stallings, the bill is re-referred to the **Appropriations Committee.**

By Senator Rauch for the **Finance Committee:**

S. B. 577, a bill to permit the creation of county water and sewer districts, the issuance of the bonds and notes of such districts, and the levy of taxes within such districts, with a favorable report, as amended.

H. B. 132, Committee Substitute for **H. B. 132**, a bill to amend G. S. 105-307 to authorize tax supervisors to grant individual extensions of time for listing property, with a favorable report.

H. B. 138, Committee Substitute for **H. B. 138**, a bill to authorize county and municipal tax collectors to obtain information from the Department of Revenue to assist them in the collection of county and municipal taxes, with an unfavorable report.

H. B. 139, a bill to clarify the provisions of the Machinery Act relating to the dates as of which abstracts, payment and appeals are filed, with a favorable report.

By Senator Harris for the **Human Resources Committee:**

S. B. 321, a bill to amend the Aid to Families with Dependent Children Program set forth in Chapter 108 of the General Statutes to provide for assistance to dependent children of unemployed fathers, with an unfavorable report.

S. B. 612, a bill to amend Article 2, Part 5 of Chapter 108 of the General Statutes to provide for periods of ineligibility for medical assistance in cases where real property is transferred for the purpose of qualifying for such assistance, with a favorable report.

H. B. 685, a bill to amend G. S. 148-19 to direct the Commission for Mental Health Services to prescribe standards for the delivery of mental health services to inmates in the custody of the Department of Correction, with a favorable report.

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 313, a bill to permit juries to determine whether a defendant has stolen property or received it with knowledge of its source, with a favorable report.

On motion of Senator Allsbrook, the bill is placed on the Calendar for Tuesday, May 10.

S. B. 345, a bill to provide for a more equitable reimbursement for the erroneous imprisonment of prisoners pardoned for innocence, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Allsbrook, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

H. B. 25, a bill to repeal G. S. 52-6 relating to the private examination of married women and to make conforming changes in related statutes, with a favorable report.

On motion of Senator Allsbrook, the Committee Substitute bill is placed on the Calendar for Tuesday, May 10.

H. B. 175, a bill to set venue for actions to recover a deficiency judgement on a secured debt, with a favorable report, as amended.

On motion of Senator Allsbrook, the bill is placed on the Calendar for Tuesday, May 10.

H. B. 250, a bill to require operators of vehicles to reduce speed to avoid accident, with a favorable report.

On motion of Senator Allsbrook, the bill is placed on the Calendar for Tuesday, May 10.

H. B. 375, a bill to amend G. S. 66-68 to relieve certain partnerships engaged in the practice of certified public accountancy from the requirement of filing certificates of assumed name, with a favorable report, as amended.

On motion of Senator Allsbrook, the bill is placed on the Calendar for Tuesday, May 10.

H. B. 526, a bill to amend G. S. 44A-12(c) relating to the form on which all claims of lien must be filed, with a favorable report.

On motion of Senator Allsbrook, the bill is placed on the Calendar for Tuesday, May 10.

H. B. 820, a bill to provide for the transfer of permanent registration plates, with a favorable report.

On motion of Senator Allsbrook, the bill is placed on the Calendar for Tuesday, May 10.

By Senator Childers for the **Manufacturing, Labor and Commerce Committee:**

S. B. 116, a bill to allow licensed plumbing and heating contractors to perform electrical work in the installation and maintaining of plumbing and heating systems, without prejudice.

On motion of Senator Childers, the rules are suspended and the bill is placed before the Senate for immediate consideration and on his further motion is postponed indefinitely.

S. B. 487, a bill to amend G. S. 95-108 to authorize deposit of fees collected from elevator, escalator, etc., inspection to be paid into the General Fund of the State treasury, with a favorable report.

On motion of Senator Childers, the bill is re-referred to the **Finance Committee.**

S. B. 489, a bill to amend G. S. 95-69.12 to provide that fees collected for the inspection of boilers and pressure vessels shall be paid into the General Fund of the State treasury subject to appropriation by the General Assembly and not restricted to covering the operating expenses of the boiler and pressure vessel inspections, with a favorable report.

On motion of Senator Childers, the bill is re-referred to the **Finance Committee.**

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senators Popkin, Crawford, and Somers:

S. J. R. 623, a joint resolution supporting the relocation of the headquarters for the State Ports Authority in Onslow County.

Referred to **Rules and Operation of the Senate Committee.**

By Senator Whichard:

S. B. 624, a bill to appropriate funds to implement the "sunset law for State agencies".

Referred to **Appropriations Committee.**

By Senators Swain and Crawford:

S. B. 625, a bill to appropriate funds for completion of the Western North Carolina Farmers Market at Asheville.

Referred to **Appropriations Committee.**

By Senator Swain:

S. B. 626, a bill to amend G. S. 20-16.2 requiring a breathalyzer refusal to be willful and unreasonable.

Referred to **Judiciary I Committee.**

By Senator Henley:

S. R. 627, a Senate resolution to allow smoking on the floor of the Senate by deleting the provision of the Senate rules that prohibits smoking during the first hour of the session.

On motion of Senator Henley, the Senate Resolution is adopted.

(The text of this resolution appears in the Appendix.)

By Senators Swain and Combs:

S. B. 628, a bill to repeal G. S. 14-190.2 requiring an adversary hearing prior to seizure of obscence books, magazines, motion pictures or other materials or prior to criminal prosecution relating to such material.

Referred to **Judiciary I Committee.**

By Senators Rauch, Harris and Marvin:

S. J. R. 629, a joint resolution honoring the life, service and memory of Carl Grady Carpenter, distinguished citizen of North Carolina.

Referred to **Rules and Operation of the Senate Committee.**

By Senator Whichard:

S. B. 630, a bill to appropriate funds to the Department of Cultural Resources to create and maintain two exhibits of portraits of North Carolina Governors elected by the people, one to be based in the State Capitol, and one to be made available for circulation throughout the State for educational purposes.

Referred to **Appropriations Committee.**

By Senators Lake, Winters, Soles, and Barnes:

S. B. 631, a bill to allow hearings before the Industrial Commission to be electronically recorded.

Referred to **Judiciary I Committee.**

By Senator Smith of New Hanover:

S. J. R. 632, a joint resolution honoring the life and memory of Henry E. (Fats) Williamson.

Referred to **Rules and Operation of the Senate Committee.**

By Senators Smith of Guilford, Vickery, Sebo, Walker, Barnes, Marvin, Winters, Hill, Mathis, Sharpe, Wynne, Speed, McDuffie, Alexander, Allsbrook, White, Alford, Daniels, Harrington, Smith of New Hanover, Hardison, Renfrow, Childers, Britt, Webster, Davis, Scott, Lake, and Jordan:

S. J. R. 633, a joint resolution commending President Carter for his efforts to establish a sound national energy policy and urging speedy congressional consideration of his proposals.

Referred to **Rules and Operation of the Senate Committee.**

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. J. R. 1106, a joint resolution convening the General Assembly in Joint Session in the Chamber of the House of Representatives in the Capitol.

On motion of Senator Henley, the rules are suspended, and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second and third readings and is ordered enrolled.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutons, which are read the first time and disposed of as follows:

H. B. 357, a bill to establish the hunting season for deer in Stokes County.

Referred to **Wildlife Committee.**

H. B. 707, Committee Substitute for **H. B. 707,** a bill to eliminate the requirement for commissioners to assist magistrates in assigning value to personal property to determine the statutory amount allocated to survivors as the year's allowance; but retaining the provision for commissioners to be appointed when the court, under G. S. 30-30, orders determination of a sufficient amount for support.

Referred to **Judiciary I Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 216, a bill to authorize the Joint Legislative Commission on Governmental Operations to issue subpoenas and administer oaths to individuals other than State officials, and to amend the procedures for punishment for contempt before a legislative committee.

On motion of Senator Britt, duly seconded, the bill is postponed indefinitely.

S. B. 235, Committee Substitute for **S. B. 235,** a bill to amend G. S. 20-37.5 relative to the definition of handicapped and to amend G. S. 20-37.6 relative to parking privileges for the handicapped, as amended, upon third reading.

The Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Henley, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 45.

The Committee Substitute bill, as amended, is ordered enrolled.

S. B. 247, a bill to amend the General Statutes to take jurisdiction over theft of and physical damage to motor vehicles insurance from the North Carolina Fire Insurance Rating Bureau and place it with the North Carolina Automobile Rate Administrative Office.

On motion of Senator Totherow, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 250, a bill to grant the City of Greenville additional powers of assessments, upon second reading.

On motion of Senator White, consideration of the bill is postponed until Monday, May 9.

S. B. 334, Committee Substitute for **S. B. 334,** a bill to establish a system for the periodic review and for the termination, continuation, or re-establishment of certain licensing and regulatory agencies, as amended, upon third reading.

Senator Hardison offers Amendment No. 2 which is adopted.

Senator Lawing moves that the Committee Substitute bill, as amended, be re-referred to the **Ways and Means Committee.**

Senator Hardison offers a substitute motion that the Committee Substitute bill, as amended, be re-referred to the **Appropriations Committee,** which motion prevails.

S. B. 345, Committee Substitute for **S. B. 345,** a bill to provide for a more equitable reimbursement for the erroneous imprisonment of prisoners pardoned for innocence.

On motion of Senator Allsbrook, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Tuesday, May 10.

S. B. 377, a bill to regulate possession and use of firearms on public highways in Scotland County.

On motion of Senator Britt, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 498, a bill to amend Chapter 757 of the Session Laws of 1953 relating to the Civil Service Commission of the City of Asheville.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 503, a bill to allow appeal of a money judgment in magistrate's court to stay execution of the judgment, upon third reading.

The bill passes its third reading and is ordered sent to the House of Representatives.

S. B. 513, Committee Substitute for **S. B. 513,** a bill changing the method by which the profits of the Halifax County Board of Alcoholic Control shall be distributed.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 562, a bill to amend certain sections of the North Carolina Milk Commission Law.

On motion of Senator White, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. J. R. 582, a joint resolution extending goodwill and best wishes to Her Majesty, Elizabeth II, Queen of England, in the twenty-fifth year of her reign.

The joint resolution passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 583, a bill to ratify and validate the proceedings for the establishment of Chowan County Drainage District Number Three, upon second reading.

The bill passes its second reading by roll-call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Whichard, White, Winters, and Wynne — 47.

The bill remains on the Calendar upon third reading.

H. B. 163, Committee Substitute for **H. B. 163,** a bill to authorize the City of Wilson to enact and enforce ordinances regulating the planting, maintenance, and removal of trees on public areas and rights-of-way and for the pruning, treatment and removal of trees on private property which endanger public health, safety or welfare within the City of Wilson.

On motion of Senator Soles, Committee Amendment No. 1 is adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 278, a bill to amend G. S. 128-21 to render certain full-time paid volunteer firemen eligible for membership in the North Carolina Local Governmental Employee's Retirement System.

The bill passes its second and third readings and is ordered enrolled.

H. B. 362, Committee Substitute for **H. B. 362,** a bill to amend G. S. 135-4(1) for the General Statutes relating to purchase of dependent schools service.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 398, a bill to amend the General Statutes to provide that for purposes of assessment under Article 17B of Chapter 58 premiums received by servicing insurers under the Fair and Beach Plans shall be deemed to be the premiums of the insurers participating in those plans.

The bill passes its second and third readings and is ordered enrolled.

H. B. 409, a bill to authorize the Joint Legislative Commission on Governmental Operations to issue subpoenas and administer oaths to individuals other than State officials, and to amend the procedures for punishment for contempt before a legislative committee.

The bill passes its second and third readings and is ordered enrolled.

H. B. 420, a bill to amend G. S. 90-29(c)(4) to allow the practice of dentistry by dental students at off-campus locations approved by the North Carolina State Board of Dental Examiners.

Senator Britt offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading.

On objection of Senator Allsbrook to its third reading the bill, as amended, remains on the Calendar.

On motion of Senator Davis the bill, as amended, is placed on the Calendar for Wednesday, May 11.

H. B. 428, a bill to amend Chapter 473 of the Session Laws of 1975 relating to the Charter of the Town of Chapel Hill, upon second reading.

The bill passes its second reading by roll-call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Whichard, White, Winters and Wynne — 47.

The bill remains on the Calendar upon third reading.

H. B. 435, a bill to amend the General Statutes relating to participation of regional public libraries in the Local Governmental Employees' Retirement System.

The bill passes its second and third readings and is ordered enrolled.

May 5, 1977

H. B. 464, a bill to grant the City of Greenville additional powers of assessments, upon second reading.

The bill passes its second reading by roll-call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Whichard, White, Winters and Wynne — 47.

The bill remains on the Calendar upon third reading.

H. B. 479, a bill to amend G. S. 20-183.10 relative to weight station personnel.

The bill passes its second and third readings and is ordered enrolled.

H. B. 596, Committee Substitute for **H. B. 596**, a bill declaring that judgements of divorce entered by courts of competent jurisdiction without conclusions of law that the plaintiff was entitled to an absolute divorce are valid and of full force and effect.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 605, a bill to amend the Charter of the Town of Rolesville to provide for the election of the Mayor and Board of Commissioners.

The bill passes its second and third readings and is ordered enrolled.

H. B. 637, a bill to amend Chapter 717 of the 1975 Session Laws relative to the nomination and election of members of the Wake County Board of Education.

The bill passes its second and third readings and is ordered enrolled.

H. B. 670, a bill to amend the Charter of the City of Fayetteville concerning insurance death benefits of city employees.

The bill passes its second and third readings and is ordered enrolled.

H. B. 692, Committee Substitute for **H. B. 692**, a bill to permit employees of the Village of Pinehurst to participate in the Local Government Employees' Retirement System.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 724, a bill to authorize the Town of Carrboro to purchase insurance to protect its officers, agents or employees against liability for damages caused by their wrongful acts or omissions performed within the scope of their duties.

The bill passes its second and third readings and is ordered enrolled.

H. B. 757, Committee Substitute for **H. B. 757**, a bill to revise and consolidate the Charter of the Town of Garner and to repeal prior local acts, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Whichard, White, Winters and Wynne — 47.

The Committee Substitute bill remains on the Calendar upon third reading.

H. B. 761, a bill to amend Chapter 591 of the 1953 Session Laws to allow the registration of maps made of different materials in Caswell County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 784, a bill to amend the Charter of the Town of Pinebluff relating to the term of the Mayor and Town Commissioners.

The bill passes its second and third readings and is ordered enrolled.

H. B. 785, Committee Substitute for **H. B. 785**, a bill to provide a supplemental retirement fund for firemen in the City of Conover and to modify the application of G. S. 118-5, G. S. 118-6, and G. S. 118-7 to the City of Conover, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Whichard, White, Winters and Wynne — 47.

The Committee Substitute bill remains on the Calendar upon third reading.

H. B. 794, a bill to provide that in Sampson County pistol permits shall be issued by the Sheriff, or his designated deputy and that a fee to be set by the Board of County Commissioners shall be charged for each permit.

The bill passes its second reading by roll-call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Whichard, White, Winters and Wynne — 47.

The bill remains on the Calendar upon third reading.

H. B. 796, a bill to amend G. S. 14-401.5 to prohibit the practice of phrenology, palmistry, fortune-telling or clairvoyance in Columbus County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 805, a bill to abolish the office of coroner in Stokes County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 816, a bill authorizing the establishment of mass transit districts in Gaston County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 819, a bill to provide for the use of semi-permanent plates for pick-up trucks, motorcycles and trailers to be renewed by use of renewal stickers, as amended, upon third reading.

The bill, as amended, passes its third reading by roll-call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Henley, Hill, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters and Wynne — 47.

The bill, as amended, is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 821, a bill to repeal the highway laws relating to the disposal of surplus material derived from grading, upon third reading.

Senator Garrison offers Amendment No. 1 which is adopted.

The bill, as amended, passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 844, a bill to authorize the Craven County Commissioners to fix compensation for the members of the Craven County Board of Education.

The bill passes its second and third readings and is ordered enrolled.

H. B. 888, a bill to authorize certain governmental units in Lincoln County to dispose of obsolete personal property.

The bill passes its second and third readings and is ordered enrolled.

H. B. 906, a bill to amend the Public-Local Laws relating to the Bureau of Identification for Wake County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 955, a bill to control the setting of annexation dates for the City of Raleigh.

The bill passes its second and third readings and is ordered enrolled.

H. B. 957, a bill to delete Alamance County from the provisions of Chapter 729 of the 1901 Session Laws.

The bill passes its second and third readings and is ordered enrolled.

H. B. 958, a bill to incorporate the Town of Dortches in Nash County, upon second reading.

On motion of Senator Soles, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading by roll-call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 46.

The bill, as amended, remains on the Calendar upon third reading.

H. B. 959, a bill amending Chapter 209 of the Session Laws of 1973, which provided a supplemental retirement fund for firemen in the City of Lincolnton.

The bill passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the Office of the Secretary of State:

H. B. 328, an act to amend G. S. 20-4.01 to omit carpools and vanpools from the classification of "for-hire passenger vehicles."

H. B. 385, an act directing the State Board of Education to establish rules and regulations regarding the qualifications of transportation supervisors.

H. B. 516, an act to amend G. S. 105-152 to include the exemptions for the blind and persons 65 and older in order to determine who shall file an income tax return.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 10:00 A.M.

EIGHTY-THIRD DAY

SENATE CHAMBER,
Friday, May 6, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we thank Thee for the words of Him who said: 'Come unto me all ye who are weary and heavy laden, and I will give your rest.' In our moments of exhaustion, may we remember that rest and renewal are possible for us, but most of all, may we recall where that rest and renewal is to be found. May the weekend ahead make it possible for us to experience restoration of body, mind and spirit. For Thy name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Vickery, McDuffie, and Lawing. Leaves of absence granted previously to Senators Jordan, Somers, and Kincaid are noted.

The President grants courtesies of the gallery to the Honorable Phillip Kirk, former Senator from Rowan County.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rauch for the **Finance Committee:**

S. B. 102, a bill to revise the interest rate on tax assessments, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Rauch, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

H. B. 167, a bill to amend G. S. 105-141 to exempt from gross income unemployment benefits, with a favorable report.

On motion of Senator Rauch, the bill is re-referred to the **Ways and Means Committee.**

H. B. 237, a bill to amend the effective date of 1975 legislation that allowed income tax deductions for contributions to individual retirement accounts, individual retirement annuities, or retirement bonds which are deductible for federal income tax purposes, with a favorable report.

On motion of Senator Rauch, the bill is re-referred to the **Ways and Means Committee.**

H. B. 392, a bill to require special tests for persons wishing to be licensed to operate a motorcycle, with a favorable report, as amended.

H. B. 866, a bill to amend G. S. 105-466(b) to provide that the Board of County Commissioners may levy a sales tax after notice and public hearing if an election under G. S. 105-465 has not been held within five years, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senators Winters, Raynor, Webster, Combs, Stallings, Sebo, Britt, Marvin, Childers, Wynne, Daniels, Jordan, Sharpe, Soles, Totherow, Renfrow, White, Lawing, Lake, Marion, Rauch, Alexander, Harris, McDuffie, Mathis, Vickery, Walker, Popkin, Palmer, Barnes, Ballenger, Somers, Scott, Whichard, Hill, Smith of Guilford, Kincaid, Garrison, and Davis:

S. B. 634, a bill to appropriate general funds to the State Board of Education for the purpose of providing funds to allot additional kindergarten teachers so as to achieve a class size of one teacher to 26 students.

Referred to **Appropriations Committee.**

By Senators Garrison and McDuffie:

S. B. 635, a bill to set the speed limit for buses transporting children with special needs.

Referred to **Judiciary II Committee.**

By Senators Marion and Webster:

S. J. R. 636, a joint resolution honoring the life, service and memory of William Bryant Austin, Sr., former member of the North Carolina General Assembly and distinguished citizen.

On motion of Senator Marion, the rules are suspended and the joint resolution is placed on the Calendar for Monday, May 9.

By Senator Scott:

S. B. 637, a bill to appropriate funds for the construction of a division of forest resources headquarters building in Alamance County.

Referred to **Appropriations Committee.**

By Senator Alford:

S. B. 638, a bill to amend the fee which medical examiners receive for making investigations.

Referred to **Finance Committee.**

By Senator Harrington:

S. B. 639, a bill to increase the maximum length of combination of vehicles operating upon the highways of the State.

Referred to **Transportation Committee.**

By Senators Smith of Guilford, Sebo, Gray, Totherow, and Davis:

S. B. 640, a bill to provide funding for the acquisition of lands for a State park between Winston-Salem and Greensboro.

Referred to **Appropriations Committee.**

By Senators Wynne, Marion, Renfrow, Royall, Garrison, Whichard, Marvin, Webster, Jordan, Henley, Winters, Lake, Hardison, Somers, Ballenger, Sharpe, Hill, Totherow, Combs, Mathis, Alford, White, Kincaid, Raynor, Britt, Speed, Childers, Harrington, Daniels, Alexander, and Soles:

S. R. 641, a resolution directing the Legislative Research Commission to study legislative ploicy for providing assistance to undergraduate North Carolinians attending private colleges and universities as defined by G. S. 116-22.

Referred to **Rules and Operation of the Senate Committee.**

By Senators Garrison, Hill, Rauch, Scott, Totherow, Alford, Daniels, Combs, Royall, Whichard, Henley, Hardison, Kincaid, Marvin, Harris, Swain, Childers, Winters, Wynne, Somers, Soles, Stallings, Crawford, Palmer, Sebo, Davis, Allsbrook, Ballenger, White, Vickery, Britt, Sharpe, Jordan, Lawing, Smith of New Hanover, Speed, Walker, Renfrow, Lake, Mathis, Harrington, Popkin, and Alexander:

S. B. 642, a bill to amend Article 4 of the Revenue Act relative to income tax to provide a credit for ad valorem tax paid on manufacturers' inventory.

Referred to **Finance Committee.**

By Senators Garrison, Hill, Vickery, Royall, Whichard, Henley, Hardison, Kincaid, Childers, Marvin, Harris, Somers, Winters, Wynne, Soles, Swain, White, Totherow, Renfrow, Stallings, Palmer, Jordan, Davis, Allsbrook, Smith of New Hanover, Ballenger, Lake, Britt, Sharpe, Popkin, Lawing, Daniels, Barnes, Speed, Walker, Crawford, Mathis, Harrington, Rauch, Sebo, and Alexander:

S. B. 643, a bill to amend Article V of the Constitution of North Carolina to authorize counties to exempt manufacturers inventory from the property tax.

Referred to **Constitutional Amendments Committee.**

By Senators Mathis, Lawing, Jordan, Vickery, Smith of Guilford, Walker, Marvin, Alexander, and McDuffie:

S. B. 644, a bill to provide State relief to senior citizens and the permanently and totally disabled for extraordinary property tax burdens.

Referred to **Finance Committee.**

By Senator Renfrow:

S. B. 645, a bill to provide for the license taxation of pinball machines and similar games.

Referred to **Finance Committee.**

By Senators Henley, Totherow, Combs, and Hardison:

S. B. 646, a bill for the establishment and enforcement of minimum safety standards applicable to youth camps.

Referred to **Natural and Economic Resources Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 63, Committee Substitute for Committee Substitute for **S. B. 63**, a bill to amend the statutory provisions for notice and hearing prior to mortgage foreclosure sales to clarify ambiguities and provide for a more efficient procedure, for concurrence in the House amendment which is placed on the Calendar for Monday, May 9.

H. B. 5, Committee Substitute for **H. B. 5**, a bill to establish procedures for sentencing in capital cases and to fix the punishment for murder.

Referred to **Judiciary I Committee.**

H. B. 536, Committee Substitute for **H. B. 536**, a bill to allow any prospective juror sixty-five years of age or older to be exempt from jury service upon written application to the clerk of court.

Referred to **Courts and Judicial Districts Committee.**

H. B. 977, a bill to amend G. S. 119-49 relating to liquified petroleum gases.

Referred to **Agriculture Committee.**

H. B. 1001, a bill to amend G. S. 138-6(a)(3) concerning travel allowances for State officers and employees.

Referred to **State Government Committee.**

H. B. 1006, a bill to reorganize the Marine Fisheries Commission and the Commercial and Sports Fisheries Committee.

Referred to **Natural and Economic Resources Committee.**

H. B. 1039, a bill to revise the Charter of the Town of Castalia, North Carolina, to extend the term of office of the Board of Commissioners from two years to four.

Referred to **Local Government and Regional Affairs Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

SPECIAL ORDER NO. 1

H. B. 402

The hour having arrived for the consideration of Special Order No. 1, the President of the Senate lays before the Senate Special Order No. 1, it being **H. B. 402**, a bill to provide full salary for two years for State Highway Patrolmen injured in the line of duty.

The bill passes its second and third readings and is ordered enrolled.

May 6, 1977

S. B. 102, Committee Substitute for S. B. 102, a bill to revise the interest rate on tax assessments.

On motion of Senator Rauch, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Wednesday, May 11.

S. B. 129, a bill to make Indochina refugees eligible for in-state tuition status.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 501, Committee Substitute for S. B. 501, a bill to enable the Department of Administration to initiate sales, leases, or rentals of State lands.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 577, a bill to permit the creation of county water and sewer districts, the issuance of the bonds and notes of such districts, and the levy of taxes within such districts.

On motion of Senator Garrison, Committee Amendment No. 1 is adopted, which is held to be material, constituting the first reading of the bill.

The bill, as amended, remains on the Calendar upon second reading.

S. B. 583, a bill to ratify and validate the proceedings for the establishment of Chowan County Drainage District Number Three, upon third reading.

The bill passes its third reading by roll-call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Lake, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, and Winters — 40.

The bill is ordered sent to the House of Representatives.

S. B. 612, a bill to amend Article 2, Part 5 of Chapter 108 of the General Statutes to provide for periods of ineligibility for medical assistance in cases where real property is transferred for the purpose of qualifying for such assistance.

The bill passes its second reading.

On objection of Senator Sebo to its third reading the bill remains on the Calendar.

H. B. 132, Committee Substitute for H. B. 132, a bill to amend G. S. 105-307 to authorize tax supervisors to grant individual extensions of time for listing property.

Senator Renfrow offers Amendment No. 1 which is adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

May 6, 1977

H. B. 139, a bill to clarify the provisions of the Machinery Act relating to the dates as of which abstracts, payments and appeals are filed.

The bill passes its second and third readings and is ordered enrolled.

H. B. 428, a bill to amend Chapter 473 of the Session Laws of 1975 relating to the Charter of the Town of Chapel Hill, upon third reading.

The bill passes its third reading, by roll-call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Lake, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, and Winters — 40.

The bill is ordered enrolled.

H. B. 464, a bill to grant the City of Greenville additional powers of assessments, upon third reading.

The bill passes its third reading by roll-call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Lake, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, and Winters — 40.

The bill is ordered enrolled.

H. B. 685, a bill to amend G. S. 148-19 to direct the Commission for Mental Health Services to prescribe standards for the delivery of mental health services to inmates in the custody of the Department of Correction.

The bill passes its second and third readings and is ordered enrolled.

H. B. 757, Committee Substitute for **H. B. 757**, a bill to revise and consolidate the Charter of the Town of Garner and to repeal prior local acts, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Lake, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, and Winters — 40.

The Committee Substitute bill is ordered enrolled.

H. B. 785, Committee Substitute for **H. B. 785**, a bill to provide a supplemental retirement fund for firemen in the City of Conover and to modify the application of G. S. 118-5, G. S. 118-6, and G. S. 118-7 to the City of Conover, upon third reading.

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The Committee Substitute bill passes its third reading by roll-call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Lake, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, and Winters — 40.

The Committee Substitute bill is ordered enrolled.

H. B. 794, a bill to provide that in Sampson County pistol permits shall be issued by the Sheriff, or his designated deputy and that a fee to be set by the Board of County Commissioners shall be charged for each permit, upon third reading.

The bill passes its third reading by roll-call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Lake, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, and Winters — 40.

The bill is ordered enrolled.

H. B. 958, a bill to incorporate the Town of Dortches in Nash County, as amended, upon third reading.

The bill, as amended, passes its third reading by roll-call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Lake, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, and Winters — 40.

The bill, as amended, is ordered sent to the House of Representatives for concurrence in the Senate amendment.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 278, an act to amend G. S. 128-21 to render certain full-time paid volunteer firemen eligible for membership in the North Carolina Governmental Employee's Retirement System.

H. B. 362, Committee Substitute for **H. B. 362**, an act to amend G. S. 135-4(1) of the General Statutes relating to purchase of dependent schools service.

H. B. 435, an act to amend the General Statutes relating to participation of regional public libraries in the Local Governmental Employees' Retirement System.

H. B. 479, an act to amend G. S. 20-183.10 relative to weight station personnel.

H. B. 596, Committee Substitute for **H. B. 596**, an act declaring that judgements of divorce entered by courts of competent jurisdiction without conclusions of law that the plaintiff was entitled to an absolute divorce are valid and of full force and effect.

H. B. 637, an act to amend Chapter 717 of the 1975 Session Laws relative to the nomination and election of members of the Wake County Board of Education.

H. B. 670, an act to amend the Charter of the City of Fayetteville concerning insurance death benefits of City employees.

H. B. 692, Committee Substitute for **H. B. 692**, an act to permit employees of the Village of Pinehurst to participate in the Local Governmental Employees' Retirement System.

H. B. 724, an act to authorize the Town of Carrboro to purchase insurance to protect its officers, agents or employees against liability for damages caused by their wrongful acts or omissions performed within the scope of their duties.

H. B. 761, an act to amend Chapter 591 of the 1953 Session Laws to allow the registration of maps made of different materials in Caswell County.

H. B. 784, an act to amend the Charter of the Town of Pinebluff relating to the term of the Mayor and Town Commissioners.

H. J. R. 1106, a joint resolution convening the General Assembly in Joint Session in the Chamber of the House of Representatives in the Capitol.

On motion of Senator Henley and pursuant to **H. J. R. 1106** the Senate adjourns to meet Monday evening at 7:00 P.M. in the Legislative Building and upon recess to reconvene in the State Capitol at 8:30 P.M.

EIGHTY-FOURTH DAY

SENATE CHAMBER,
Monday, May 9, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

May 9, 1977

"Our Father, in the words of the Psalmist we would offer our praise to Thee when he said: 'I will bless the Lord at all times. His praise shall continually be in my mouth.' There are times when life is so full of disappointments that we may find it difficult to offer our thanks to Thee, but at such times may we remember that in all things Thou art working for our good, and in that faith, may we praise Thee in spite of everything. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of Friday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Harrington and Allsbrook for tonight.

The President recognizes the following pages serving in the Senate this week: Denice Dennis, Bethel; Bond Hedgepeth, Raleigh; Curtis Horne, Stedman; Gary Holt, Raleigh; Ted Johnson, High Point; Leigh Lynch, Raleigh; Tami Miller, Fayetteville; Faye Moody, Gaston; Mark Puryear, Fuquay-Varina; Debbie Robertson, Reidsville; Anna Spangler, Charlotte; Greg Stokes, Ayden; Bobby Stone, Charlotte; Deborah Vinson, Conway; Mac Warner, Elizabethtown; Lee Wells, Murphy; Leslie Wilkerson, Lexington; and Pam Wilson, Fayetteville.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Lawing for the **Banking Committee:**

S. B. 590, a bill to amend G. S. 14-391 relating to loan interest on household furniture, with a favorable report.

H. B. 501, Committee Substitute for **H. B. 501,** a bill to require pawnbrokers to keep detailed records of all transactions, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senators Smith of Guilford, Alexander, Sebo, Wynne, McDuffie, Mathis, Winters, Smith of New Hanover, and Vickery:

S. B. 647, a bill to complement Article 4A of Chapter 136 of the General Statutes of North Carolina through the creation of a self-supporting budget to expedite the implementing of its provisions.

Referred to **Appropriations Committee.**

By Senators Smith of Guilford, Davis, Alexander, Wynne, McDuffie, Mathis, Sebo, Smith of New Hanover, Vickery, and Winters:

S. B. 648, a bill to amend the Bicycle and Bikeway Act of 1974 to further provide for the promotion, administration, and regulation of bicycle and bikeway activities in North Carolina.

Referred to **Judiciary II Committee.**

By Senators Smith of Guilford, Davis, Alexander, Wynne, McDuffie, Mathis, Sebo, Smith of New Hanover, Vickery, and Winters:

S. B. 649, a bill to amend G. S. 15-15 to allow for supplementary funding of local bicycle and bikeway programs.

Referred to **Finance Committee.**

By Senators Smith of Guliford, Davis, Alexander, Wynne, McDuffie, Sebo, Winters, Smith of New Hanover, and Vickery:

S. B. 650, a bill to authorize the use of Powell Bill funds for bikeway purposes.

Referred to **Finance Committee.**

By Senators Smith of Guilford, Sebo, Winters, Wynne, McDuffie, Smith of New Hanover, and Alexander:

S. B. 651, a bill to provide for regulation of bicycles and other human powered vehicles.

Referred to **Judiciary II Committee.**

By Senators Smith of Guilford, Alexander, Sebo, Wynne, McDuffie, Winters, Smith of New Hanover, and Vickery:

S. J. R. 652, a joint resolution directing the Legislative Research Commission to study the feasibility of establishing within North Carolina a bicycle registration or similar program to provide the citizens of the State with a deterrent to bicycle theft, a means for determining ownership of bicycles, and identification of injured bicyclists.

Referred to **Rules and Operation of the Senate Committee.**

By Senators Smith of Guilford, Winters, Crawford, McDuffie, Sharpe, and Barnes:

S. B. 653, a bill to amend the law pertaining to registration of divorces and annulments to provide for certificates of divorce and annulment on forms prescribed and furnished by the State Registrar.

Referred to **Finance Committee.**

By Senator Smith of Guilford:

S. B. 654, a bill to reconstitute the Area Inmate Labor Commissions and the State Inmate Labor Commission.

Referred to **Criminal Justice Committee.**

By Senator White:

S. B. 655, a bill authorizing the Pitt County Board of Commissioners to hold a referendum of the electorate of Pitt County to determine whether Pitt County Technical Institute should be converted to a Community College.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Winters:

S. B. 656, a bill to appropriate funds to the City of Raleigh to aid in the construction of a mall from the State Capitol to the proposed Raleigh Civic Center Plaza.

Referred to **Appropriations Committee.**

By Senator Winters:

S. B. 657, a bill to authorize the qualified voters of the Town of Highlands, Macon County, to determine whether alcoholic beverage control stores shall be operated in the Town of Highlands.

Referred to **Alcoholic Beverage Control Committee.**

By Senators Allsbrook and Lake:

S. B. 658, a bill to rewrite G. S. 15A-773 to provide for service of criminal process upon unincorporated associations.

Referred to **Judiciary I Committee.**

By Senators Allsbrook and Lake:

S. B. 659, a bill to amend G. S. 14-254 to provide more effective protection against corporate officers who misapply corporate funds.

Referred to **Judiciary I Committee.**

By Senators Allsbrook and Lake:

S. B. 660, a bill to prohibit the unauthorized use of a motor-propelled conveyance.

Referred to **Judiciary I Committee.**

By Senators Allsbrook and Lake:

S. B. 661, a bill to provide a dismissal-with-leave procedure in certain cases.

Referred to **Judiciary I Committee.**

By Senators Allsbrook and Lake:

S. B. 662, a bill to amend G. S. 14-288.8(c)(3) prohibiting weapons of mass death and destruction to replace the terms of "machine gun" and "sawed-off shotgun" with more specific descriptions.

Referred to **Judiciary I Committee.**

By Senators Allsbrook and Lake:

S. B. 663, a bill to provide for the taking into custody of dangerous fugitives from justice who present a threat of imminent death or serious bodily injury and flee from justice and evade arrest.

Referred to **Judiciary I Committee.**

By Senators Allsbrook and Lake:

S. B. 664, a bill to amend Chapter 90 of the General Statutes to require attending physicians to report certain wounds, injuries, and illnesses.

Referred to **Judiciary I Committee.**

By Senators Speed and Alford:

S. B. 665, a bill relating to weight tolerance for pickup trucks licensed for minimum weights.

Referred to **Transportation Committee.**

By Senator Garrison:

S. B. 666, a bill to authorize the City of Albemarle to convey certain real and personal property.

Referred to **Local Government and Regional Affairs Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 131, a bill to amend the Aid to Families with Dependent Children Program set forth in Chapter 108 of the General Statutes to mandate that persons receiving AFDC register and accept reasonable employment, to provide for public service employment priority and to provide for volunteer employment programs for persons receiving AFDC, for concurrence in the House amendment which is placed on the Calendar for tomorrow, May 10.

S. B. 440, a bill to remove violation of a thirty-day misdemeanor as grounds for revocation of probation, for concurrence in the House amendment which is placed on the Calendar for tomorrow, May 10.

S. B. 455, a bill relating to raffles and the game of bingo in Wayne County, for concurrence in the House amendment which is placed on the Calendar for tomorrow, May 10.

H. B. 589, Committee Substitute for H. B. 589, a bill to authorize towns in Brunswick County having less than 500 population to hold malt beverages and unfortified wine elections as authorized in Chapter 18A of the General Statutes.

Referred to **Alcoholic Beverage Control Committee.**

H. B. 681, a bill to amend Article 5A of Chapter 122 to provide for the involuntary commitment of persons who are mentally retarded and, because of an accompanying behavior disorder, are imminently dangerous to others.

Referred to **Human Resources Committee.**

H. B. 886, a bill to annex two noncontiguous subdivisions and one contiguous subdivision to the Town of Nashville.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 919, a bill to amend Part 2, Article 3 of Chapter 108 and G. S. 143B-153(3)c. to provide that the Department of Human Resources shall inspect and license all child-caring institutions in North Carolina except those specifically exempt.

Referred to **Human Resources Committee.**

H. B. 920, a bill to repeal G. S. 143B-151 and G. S. 143B-152 so as to abolish the Eugenics Commission.

Referred to **Human Resources Committee.**

H. B. 1043, a bill to extend the corporate limits of the Town of Magnolia.

Referred to Local Government and Regional Affairs Committee.

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 63, Committee Substitute No. 2 for S. B. 63, a bill to amend the statutory provisions for notice and hearing prior to mortgage foreclosure sales to clarify ambig ities and provide for a more efficient procedure, for concurrence in the House amendment.

On motion of Senator Smith of Guilford, the Senate concurs in the House amendment and the Committee Substitute No. 2 bill is ordered enrolled.

S. B. 250, a bill to grant the City of Greenville additional powers of assessments, upon second reading.

On motion of Senator White, duly seconded, the bill is postponed indefinitely.

S. B. 577, a bill to permit the creation of county water and sewer districts, the issuance of the bonds and notes of such districts, and the levy of taxes within such districts, as amended, upon second reading.

The bill, as amended, passes its second reading by roll-call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Ballenger, Barnes, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, White, Winters, and Wynne — 41.

The bill, as amended, remains on the Calendar upon third reading.

S. B. 612, a bill to amend Article 2, Part 5 of Chapter 108 of the General Statutes to provide for periods of ineligibility for medical assistance in cases where real property is transferred for the purpose of qualifying for such assistance, upon third reading.

The bill passes its third reading and is ordered sent to the House of Representatives.

S. J. R. 636, a joint resolution honoring the life, service and memory of William Bryant Austin, Sr., former member of the North Carolina General Assembly and distinguished citizen.

The joint resolution passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

H. B. 392, a bill to require special tests for persons wishing to be licensed to operate a motorcycle, as amended, upon third reading.

Pending Amendment No. 2 offered April 26 by Senator Daniels is adopted.

The bill, as amended, passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate amendments.

H. B. 866, a bill to amend G. S. 105-466(b) to provide that the Board of County Commissioners may levy a sales tax after notice and public hearing if an election under G. S. 105-465 has not been held within five years, upon second reading.

The bill passes its second reading by roll-call vote, ayes 28, noes 11, as follows:

Those voting in the affirmative are: Senators Alford, Ballenger, Barnes, Childers, Crawford, Davis, Hardison, Harris, Henley, Hill, Lake, Lawing, Marion, Popkin, Rauch, Raynor, Renfrow, Scott, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, and White — 28.

Those voting in the negative are: Senators Combs, Daniels, Garrison, Gray, Jordan, Marvin, Mathis, Royall, Walker, Winters, and Wynne — 11.

The bill remains on the Calendar upon third reading.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 235, Committee Substitute for **S. B. 235,** an act to amend G. S. 20-37.5 relative to the definition of handicapped and to amend G. S. 20-37.6 relative to parking privileges for the handicapped.

S. B. 380, an act to amend Article 2B of G. S. Chapter 136 by changing the term "mass transportation" to "public transportation" and by authorizing the administration of State programs relating to public transportation.

S. B. 482, an act to repeal G. S. 141-7, which designates North Carolina's southern lateral seaward boundary with South Carolina.

H. B. 139, an act to clarify the provisions of the Machinery Act relating to the dates as of which abstracts, payments and appeals are filed.

H. B. 163, Committee Substitute for **H. B. 163,** an act to authorize the City of Wilson to enact and enforce ordinances regulating the planting, maintenance, and removal of trees on public areas and rights-of-way and for the pruning, treatment and removal of trees on private property which endanger public health, safety or welfare within the City of Wilson.

H. B. 402, an act to provide full salary for two years for State Highway Patrolmen injured in the line of duty.

H. B. 428, an act to amend Chapter 473 of the Session Laws of 1975 relating to the Charter of the Town of Chapel Hill.

H. B. 464, an act to grant the City of Greenville additional powers of assessments.

H. B. 685, an act to amend G. S. 148-19 to direct the Commission for Mental Health Services to prescribe standards for the delivery of mental health services to inmates in the custody of the Department of Correction.

H. B. 757, Committee Substitute for **H. B. 757,** an act to revise and consolidate the Charter of the Town of Garner and to repeal prior local acts.

H. B. 785, Committee Substitute for **H. B. 785,** an act to provide a supplemental retirement fund for firemen in the City of Conover and to modify the application of G. S. 118-5, G. S. 118-6 and G. S. 118-7 to the City of Conover.

H. B. 796, an act to amend G. S. 14-401.5 to prohibit the practice of phrenology, palmistry, fortune-telling or clairvoyance in Columbus County.

H. B. 816, an act authorizing the establishment of mass transit districts in Gaston County.

H. B. 819, an act to provide for the use of semi-permanent plates for pick-up trucks, motorcycles, U-drive-it passenger vehicles, and trailers to be renewed by use of renewal stickers.

H. B. 821, an act to repeal the highway laws relating to the disposal of surplus material derived from grading.

H. B. 844, an act to authorize the Craven County Commissioners to fix compensation for the members of the Craven County Board of Education.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. J. R. 1106

HOUSE OF REPRESENTATIVES
May 9, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that pursuant to **H. J. R. 1106**, a joint resolution convening the General Assembly in Joint Session in the Chamber of the House of Representatives in the Capitol, the House of Representatives stands ready to receive the Senate in Joint Session at the hour appointed.

Respectfully,
GRACE A. COLLINS
Principal Clerk

Senator Henley moves that pursuant to **H. J. R. 1106**, the Senate do now recess to reconvene in the old Chamber of the House of Representatives of the State Capitol, and upon dissolution to adjourn to meet tomorrow at 1:30 P.M., which motion prevails.

The Senate is received by the House of Representatives in the old Chamber of the House of Representatives in the State Capitol. The President of the Senate calls the Session to order.

Representative A. Neal Smith of Rowan is recognized to speak briefly relative to National Historic Preservation Week in North Carolina, being observed May 8 through 14.

Senator Ralph Scott of Alamance is recognized to report for the State Capitol Foundation, Inc.

Pursuant to the motion of Senator Henley, the Senate adjourns to meet in the Legislative Building tomorrow at 1:30 P.M.

EIGHTY-FIFTH DAY

SENATE CHAMBER,
Tuesday, May 10, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we approach Thee this day with thanksgiving in our hearts and praise upon our lips. When we begin to feel the pressures of life, may we remember the words of Scripture: 'Cast thy burden upon the Lord, and He

shall sustain Thee.' May we never forget that there is One ready to get under the burden with us, and that His shoulders are stronger than ours. For Thy name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed wtih and it stands approved as written.

Pursuant to G. S. 143B-373, the President appoints the following Senators to serve as members of the Capital Planning Commission for a term of office to expire when their present elective term expires: Senators Alexander, Scott, Lake, and Wynne.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Winters for the **Alcoholic Beverage Control Committee:**

S. B. 657, a bill to authorize the qualified voters of the Town of Highlands, Macon County, to determine whether alcoholic beverage control stores shall be operated in the Town of Highlands, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Winters, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

H. B. 549, Committee Substitute for **H. B. 549,** a bill to amend G. S. 18A-16 to provide for the selection of the members of Martin County ABC Board by the Board of County Commissioners, with a favorable report, as amended.

H. B. 589, Committee Substitute for **H. B. 589,** a bill to authorize towns in Brunswick County having less than 500 population to hold malt beverages and unfortified wine elections as authorized in Chapter 18A of the General Statutes, with a favorable report.

On motion of Senator Winters, the Committee Substitute bill is placed on the Calendar for Monday, May 16.

H. B. 853, a bill to authorize beer and wine elections in the Town of Cameron, North Carolina, with a favorable report.

By Senator Marion for the **Courts and Judicial Districts Committee:**

S. B. 270, a bill to amend the Uniform Judicial Retirement Act to allow credit for past service as solicitor or district attorney, with a favorable report.

On motion of Senator Marion, the bill is re-referred to the **Appropriations Committee.**

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 444, a bill to waive the governmental immunity of cities in tort and to require cities to respond in damages up to one hundred thousand dollars, with a favorable report, as amended.

S. B. 445, a bill to waive the governmental immunity of counties in tort and to require counties to respond in damages up to one hundred thousand dollars, with a favorable report, as amended.

By Senator Henley for the **Rules and Operation of the Senate Committee:**

S. J. R. 599, a joint resolution urging the government of the United States to maintain its diplomatic relations and the mutual defense treaty with the Republic of China; and for other purposes, with a favorable report.

S. J. R. 629, a joint resolution honoring the life, service and memory of Carl Grady Carpenter, distinguished citizen of North Carolina, with a favorable report.

S. J. R. 632, a joint resolution honoring the life and memory of Henry E. (Fats) Williamson, with a favorable report.

S. J. R. 633, a joint resolution commending President Carter for his efforts to establish a sound national energy policy and urging speedy congressional consideration of his proposals, with a favorable report.

H. J. R. 639, a joint resolution congratulating and commending the Pinecrest High School Girls' Basketball Team of Moore County for its performance and sportsmanship in winning the State 4-A Conference Basketball Championship, with a favorable report.

H. J. R. 664, a joint resolution honoring the memory of Dennis Franklin Spinnett and Robert Glenn Crawford, two Thomasville police officers, who risked and lost their lives in the line of duty, with a favorable report.

H. J. R. 979, a joint resolution commemorating the one hundredth anniversary of public health in North Carolina, with a favorable report.

By Senator Combs for the **Wildlife Committee:**

S. B. 472, a bill to develop a plan and policy of wildlife management for all lands suitable for this purpose owned by the State of North Carolina, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Combs, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senators Wynne, Marvin, Renfrow, Totherow, Webster, Childers, and Sharpe:

S. B. 667, a bill to revise the provisions relating to the administration of the community colleges and technical institutes in North Carolina.
Referred to **Higher Education Committee.**

By Senator Hardison:

S. B. 668, a bill revising benefits of the Teachers' and State Employees' Retirement System of North Carolina.
Referred to **Appropriations Committee.**

By Senator Hardison:

S. B. 669, a bill to appropriate funds to subsidize hospital and medical insurance for retirees and surviving spouses.
Referred to **Appropriations Committee.**

By Senator Hardison:

S. B. 670, a bill to make clear that the death benefits provided to teachers and State employees is group life insurance.
Referred to **Appropriations Committee.**

By Senator Hardison:

S. B. 671, a bill to make clear that the death benefit provided by the North Carolina Local Governmental Employees' Retirement System is group life insurance.
Referred to **Appropriations Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 486, a bill to exempt from gross income gain from sale or exchange of residence of individual who has attained age 65.
Referred to **Finance Committee.**

H. B. 729, a bill to amend the Workmen's Compensation Act regarding medical privilege.
Referred to **Manufacturing, Labor and Commerce Committee.**

H. B. 762, a bill to authorize a levy of not more than one dollar per year upon vehicles resident in Caswell County.
Referred to **Local Government and Regional Affairs Committee.**

H. B. 916, a bill to permit observers to be relieved on election day.
Referred to **Election Laws Committee.**

H. B. 1061, a bill to rewrite G. S. 153A-60(4) to provide for holding referendum on the modification of the structure of the Boards of County Commissioners.

Referred to **Local Government and Regional Affairs Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

(Senator Henley presides over a portion of today's session.)

S. B. 131, a bill to amend the Aid to Families with Dependent Children Program set forth in Chapter 108 of the General Statutes to mandate that persons receiving AFDC register and accept reasonable employment, to provide for public service employment priority and to provide for volunteer employment programs for persons receiving AFDC, as amended, for concurrence in the House amendment.

On motion of Senator Davis, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 440, a bill to remove violation of a thirty-day misdemeanor as grounds for revocation of probation, for concurrence in the House amendment.

On motion of Senator Sebo, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 455, a bill relating to raffles and the game of bingo in Wayne County, for concurrence in the House amendment.

On motion of Senator Barnes, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 472, Committee Substitute for **S. B. 472,** a bill to develop a plan and policy of wildlife management for all lands suitable for this purpose owned by the State of North Carolina.

On motion of Senator Combs, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Thursday, May 12.

S. B. 577, a bill to permit the creation of county water and sewer districts, the issuance of the bonds and notes of such districts, and the levy of taxes within such districts, as amended, upon third reading.

The bill, as amended, passes its third reading by roll-call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Swain, Totherow, Walker, Webster, White, Winters, and Wynne — 43.

The bill, as amended, is ordered engrossed and sent to the House of Representatives.

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S. B. 590, a bill to amend G. S. 14-391 relating to loan interest on household furniture.

The bill passes its second reading.

On objection of Senator Gray to its third reading the bill remains on the Calendar.

S. B. 657, Committee Substitute for S. B. 657, a bill to authorize the qualified voters of the Town of Highlands, Macon County, to determine whether alcoholic beverage control stores shall be operated in the Town of Highlands.

On motion of Senator Winters, the Committee Substitute bill is adopted, and his further motion is placed on the Calendar for Thursday, May 12.

H. B. 501, Committee Substitute for H. B. 501, a bill to require pawnbrokers to keep detailed records of all transactions.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 866, a bill to amend G. S. 105-466(b) to provide that the Board of County Commissioners may levy a sales tax after notice and public hearing if an election under G. S. 105-465 has not been held within five years, upon third reading.

Senator Sharpe offers Amendment No. 1 which is adopted.

The bill, as amended, passes its third reading by roll-call vote, ayes 31, noes 15, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Barnes, Britt, Childers, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Marion, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Royall, Sharpe, Soles, Speed, Stallings, Swain, Totherow, White, and Wynne — 31.

Those voting in the negative are: Senators Alexander, Ballenger, Combs, Daniels, Kincaid, Lawing, Mathis, Renfrow, Scott, Smith of Guilford, Smith of New Hanover, Somers, Walker, Webster, and Winters — 15.

The bill, as amended, is ordered sent to the House of Representatives for concurrence in the Senate amendment.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 63, Committee Substitute No. 2 for S. B. 63, an act to amend the statutory provisions for notice and hearing prior to mortgage foreclosure sales to clarify ambiguities and provide for a more efficient procedure.

S. B. 108, an act to amend Chapter 162 of the Session Laws of 1975 so as to make permanent the provisions of G. S. 20-7(g), regarding the elimination of road and written tests for safe drivers applying for renewal of chauffeur's license.

S. B. 406, an act to amend G. S. 66-58, which prohibits sale of merchandise by governmental units, so as to exempt farmers' markets operated by the Department of Agriculture from the provisions of said Act.

S. B. 484, an act to amend certain laws affecting the promotion of coastal fisheries and seafood industry.

S. B. 508, an act to place Randolph County under G. S. 44-51.8 relating to attachment or garnishment for ambulance service in certain counties.

S. J. R. 636, a joint resolution honoring the life, service and memory of William Bryant Austin, Sr., former member of the North Carolina General Assembly and distinguished citizen.

H. B. 398, an act to amend the General Statutes to provide that for purposes of assessment under Article 17B of Chapter 58 premiums otherwise reported by servicing insurers under the Fair and Beach Plans shall be deemed to be the premiums of the insurers participating in those plans.

H. B. 409, an act to authorize the Joint Legislative Commission of Governmental Operations to issue subpoenas and administer oaths to individuals other than State officials, and to amend the procedures for punishment for contempt before a legislative committee.

H. B. 509, an act to authorize certain precinct officials to assist voters in marking ballots under certain circumstances.

H. B. 605, an act to amend the Charter of the Town of Rolesville to provide for the election of the Mayor and Board of Commissioners.

H. B. 794, an act to provide that in Sampson County pistol permits shall be issued by the Sheriff, or his designated deputy and that a fee to be set by the Board of County Commissioners shall be charged for each permit.

H. B. 805, an act to abolish the office of coroner in Stokes County.

H. B. 888, an act to authorize certain governmental units in Lincoln County to dispose of obsolete personal property.

H. B. 906, an act to amend the Public-Local Laws relating to the Bureau of Identification for Wake County.

H. B. 955, an act to control the setting of annexation dates for the City of Raleigh.

H. B. 957, an act to delete Alamance County from the provisions of Chapter 581 of the 1899 Session Laws.

H. B. 958, an act to incorporate the Town of Dortches in Nash County.

H. B. 959, an act amending Chapter 209 of the Session Laws of 1973, which provided a supplemental retirement fund for firemen in the City of Lincolnton.

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On motion of Senator Royall, the Senate adjourns to meet tomorrow at 1:30 P.M.

EIGHTY-SIXTH DAY

SENATE CHAMBER,
Wednesday, May 11, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable John T. Henley, President Pro Tempore.

Prayer is offered by Dr. Robert E. Fields, Jr., Minister of Hudson Memorial Presbyterian Church, Raleigh, as follows:

"Almighty God, Author of Creation, we acknowledge You as the One who did fling the stars across the heavens, and appoint the order of the universe. We confess also that You did bring into being, the world and all that is in it. Creator, and Creating God, we stand before You in awe. Yet we recognize You also as our personal Lord. You have known Your reconciling and forgiving love in the Person and work of Christ, for this we give thanks.

"God of creation and God of reconciliation continue to work out Your purpose in our midst. Give to us today the wisdom to know Your will and the courage to do it; for we confess again you are Lord of all life, in Christ's name. Amen."

Senator Royall for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Wynne for today and to Senator Alexander for tomorrow and Friday, May 12 and 13.

The President assumes the chair.

Courtesies of the gallery are extended to the Honorable Glenn R. Jernigan, former Senator from Cumberland County.

H. B. 731, a bill to amend G. S. 97-2(15) of the Workmen's Compensation Act concerning the definition of widower.

On motion of Senator Childers, the rules are suspended, and the bill is taken from the **Manufacturing, Labor and Commerce Committee**, and rereferred to the **Judiciary II Committee.**

H. B. 732, a bill to amend G. S. 97-38 of the Workmen's Compensation Act concerning proximate cause.

On motion of Senator Childers, the rules are suspended, and the bill is taken from the **Manufacturing, Labor and Commerce Committee,** and rereferred to the **Judiciary II Committee.**

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rauch for the **Finance Committee:**

S. B. 266, a bill to establish a commission to study the need for legislation increasing the fees for the service of civil and criminal process, without prejudice.

On motion of Senator Rauch, the rules are suspended and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

H. B. 792, a bill to authorize the State Board of Alcoholic Control to increase the permit for issuing a retail license fee from twenty-five dollars to fifty dollars, and to increase the price of the wholesale permit from twenty-five dollars to one hundred dollars, with a favorable report.

On motion of Senator Rauch, the bill is re-referred to the **Ways and Means Committee.**

By Senator Totherow for the **Insurance Committee:**

H. B. 306, Committee Substitute for **H. B. 306,** a bill to delete certain provisions of G. S. 58-9 and 58-63 re publication of reports and fees collected therefor, with a favorable report.

H. B. 944, a bill concerning payment of interest on life insurance death benefits from date of death to date of payment to beneficiary, with a favorable report.

By Senator Raynor for the **Law Enforcement and Crime Control Committee:**

H. B. 482, a bill to provide benefits to uniformed weight station personnel now available to State highway patrolmen and to inspectors of the License and Theft Section, with a favorable report.

On motion of Senator Raynor, the bill is re-referred to the **Appropriations Committee.**

By Senator Soles for the **Local Government and Regional Affairs Committee:**

S. B. 465, a bill to redefine and extend the corporate limits of the Town of Plymouth, Washington County, North Carolina, with an unfavorable report.

S. B. 609, a bill to abolish the Civil Service Commission in the City of Hendersonville, North Carolina, with a favorable report.

S. B. 655, a bill authorizing the Pitt County Board of Commissioners to hold a referendum of the electorate of Pitt County to determine whether

Pitt County Technical Institute should be converted to a community college, with a favorable report.

S. B. 666, a bill to authorize the City of Albemarle to convey certain real and personal property, with a favorable report.

H. B. 587, a bill to authorize Cumberland County to provide legal assistance to indigent persons in civil cases, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Soles, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

H. B. 760, a bill requiring the payment of delinquent taxes in Caswell County before recording deeds conveying property subject to delinquent taxes, with a favorable report.

H. B. 767, Committee Substitute for H. B. 767, a bill to grant authority to the Town of Liberty to make and to assess cost for street improvements, with a favorable report.

H. B. 834, a bill to authorize all incorporated towns in Mecklenburg County to exercise extraterritorial zoning, with a favorable report.

H. B. 886, a bill to annex two noncontiguous subdivisions and one contiguous subdivision to the Town of Nashville, with a favorable report.

H. B. 1039, a bill to revise the Charter of the Town of Castalia, North Carolina, to extend the term of office of the Board of Commissioners from two years to four, with a favorable report.

H. B. 1043, a bill to extend the corporate limits of the Town of Magnolia, with a favorable report.

H. B. 1061, a bill to rewrite G. S. 153A-60(4) to provide for holding referendum on the modification of the structure of the Boards of County Commissioners, with a favorable report.

By Senator Speed for the **Natural and Economic Resources Committee:**

H. B. 1006, a bill to reorganize the Marine Fisheries Commission and the Commercial and Sports Fisheries Committee, with a favorable report.

On motion of Senator Speed, the bill is re-referred to the **Appropriations Committee.**

By Senator Whichard for the **State Government Committee:**

S. B. 291, a bill to amend Chapter 135 of the General Statutes to preserve retirement benefits for employees of the former Chapel Hill Telephone Company and the former University service plans, with a favorable report, as amended.

On motion of Senator Whichard, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion Committee Amendment No. 1 is adopted.

On motion of Senator Whichard, the bill, as amended, is re-referred to the **Appropriations Committee.**

H. B. 546, a bill to amend G. S. 147-50 relating to "publications of State officials and department heads, furnished to certain institutions, agencies, etc," with a favorable report.

H. B. 547, a bill to repeal G. S. 147-54 and to substitute therefor provisions for the distribution and sale of the North Carolina Manual, with a favorable report.

H. B. 548, Committee Substitute for **H. B. 548,** a bill to revise G. S. 147-45 in relation to the distribution of State publications, with a favorable report.

H. B. 945, a bill to authorize the Secretary of State to dispose of surplus copies of the Public Laws and Session Laws of North Carolina, with a favorable report.

H. B. 1001, a bill to amend G. S. 138-6(a)(3) concerning travel allowances for State officers and employees, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Kincaid:

S. B. 672, a bill to amend Chapter 506 of the 1975 Session Laws relating to prisoners available for work on the public roads.

Referred to **Law Enforcement and Crime Control Committee.**

By Senators Hill and Palmer:

S. B. 673, a bill to amend Article 1, Chapter 69 of the General Statutes, to provide authorization for chiefs of rural fire departments to investigate fires; to permit the submission of reports by computer; and to substitute Attorney General for references to Commissioner of Insurance to conform with G. S. 143A-52.

Referred to **Judiciary II Committee.**

By Senator Vickery:

S. B. 674, a bill to amend G. S. 1-440.12 to provide an opportunity for a hearing to State residents in attachment proceedings and to repeal Chapter 1, Article 34 of the General Statutes relating to arrest and bail in civil proceeding.

Referred to **Judiciary I Committee.**

By Senators Henley and Raynor:

S. B. 675, a bill amending G. S. 67-3 concerning the death of human beings caused by dogs.

Referred to **Human Resources Committee.**

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By Senators Mathis and Vickery:

S. B. 676, a bill to allow the court to appoint a guardian ad litem for a child in any divorce, custody, or support action.

Referred to **Judiciary I Committee.**

By Senators Allsbrook and White:

S. B. 677, a bill to appropriate funds for the rehabilitation of the Roanoke Canal Lock House in Roanoke Rapids.

Referred to **Appropriations Committee.**

By Senators Alexander, Mathis, Daniels, McDuffie, Stallings, Lake, Smith of Guilford, and Winters:

S. B. 678, a bill to make deductions from a routeman's commission for any rebate on the sale of milk unlawful.

Referred to **Agriculture Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 649, Committee Substitute for H. B. 649, a bill to amend 90-216.6 of the General Statutes of North Carolina relating to the disposition of unclaimed bodies.

Referred to **Human Resources Committee.**

H. B. 1052, a bill to allow deductions for individual income tax purposes for contributions made by an individual for the benefit of himself and his spouse to individual retirement accounts, individual retirement annuities, or individual retirement bonds which are deductible for federal income tax purposes, and to exempt from inheritance tax distributions from such retirement plans which are excluded from the decedent's gross estate for federal estate tax purposes, and to make other technical amendments to Chapter 105.

Referred to **Finance Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 102, Committee Substitute for S. B. 102, a bill to revise the interest rate on tax assessments.

The Committee Substitute bill passes its second and third readings.

Senator Smith of Guilford moves that the vote by which the Committee Substitute bill passed its third reading be reconsidered, which motion prevails.

Senator Smith of Guilford moves that the vote by which the Committee Substitute bill passed its second reading be reconsidered, which motion prevails.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 41, noes 1, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Davis, Garrison, Gray, Harrington, Harris, Henley, Hill, Kincaid, Lake, Lawing, Marion, Marvin, McDuffie, Palmer, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Whichard, White, and Winters — 41.

Voting in the negative is Senator Popkin — 1.

The Committee Substitute bill remains on the Calendar for tomorrow, May 12, upon third reading.

S. B. 313, a bill to permit juries to determine whether a defendent has stolen property or received it with knowledge of its source.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 345, Committee Substitute for S. B. 345, a bill to provide for a more equitable reimbursement for the erroneous imprisonment of prisoners pardoned for innocence.

On motion of Senator Allsbrook, the Committee Substitute bill is re-referred to the **Appropriations Committee.**

S. B. 444, a bill to waive the governmental immunity of cities in tort and to require cities to respond in damages up to one hundred thousand dollars, upon second reading.

On motion of Senator Allsbrook, Committee Amendments No. 1 and 2 are adopted.

The bill, as amended, passes its second reading by roll-call vote, ayes 35, noes 12, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Crawford, Davis, Garrison, Gray, Hardison, Henley, Hill, Lake, Lawing, Marion, Mathis, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Whichard, and White — 35.

Those voting in the negative are: Senators Britt, Combs, Daniels, Harrington, Harris, Jordan, Kincaid, Marvin, Palmer, Popkin, Rauch, and Webster — 12.

The bill, as amended, remains on the Calendar upon third reading.

S. B. 445, a bill to waive governmental immunity of counties in tort and to require counties to respond in damages up to one hundred thousand dollars, upon second reading.

On motion of Senator Allsbrook, Committee Amendments No. 1 and No. 2 are adopted.

The bill, as amended, passes its second reading by roll-call vote, ayes 32, noes 12, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Davis, Garrison, Gray, Hardison, Henley, Hill, Lawing, Marion, Mathis, Palmer, Raynor, Renfrow, Royall, Scott, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Whichard, and White — 32.

Those voting in the negative are: Senators Britt, Combs, Daniels, Harrington, Harris, Jordan, Kincaid, Marvin, McDuffie, Popkin, Rauch, and Webster — 12.

The bill, as amended, remains on the Calendar upon third reading.

S. B. 497, a bill to provide for the nomination and election of the Buncombe County Board of Education.

On motion of Senator Swain, consideration of the bill is postponed until Friday, May 13.

S. B. 590, a bill to amend G. S. 14-391 relating to loan interest on household furniture, upon third reading.

The bill passes its third reading and is ordered sent to the House of Representatives.

S. J. R. 599, a joint resolution urging the government of the United States to maintain its diplomatic relations and the mutual defense treaty with the Republic of China; and for other purposes.

On motion of Senator Henley, Committee Amendment No. 1 is adopted.

The joint resolution, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger without engrossment.

S. J. R. 629, a joint resolution honoring the life, service and memory of Carl Grady Carpenter, distinguished citizen of North Carolina.

The joint resolution passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. J. R. 632, a joint resolution honoring the life and memory of Henry E. (Fats) Williamson.

The joint resolution passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. J. R. 633, a joint resolution commending President Carter for his efforts to establish a sound national energy policy and urging speedy congressional consideration of his proposals.

The joint resolution passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

H. B. 25, Committee Substitute for **H. B. 25,** a bill repeal G. S. 52-6 relating to the private examination of married women and to make conforming changes in related statutes.

Senator Allsbrook calls the previous question, duly seconded. The call is sustained.

The bill passes its second reading.

On objection of Senator Smith of New Hanover to its third reading the bill remains on the Calendar.

H. B. 175, a bill to set venue for actions to recover a deficiency judgement on a secured debt.

On motion of Senator Allsbrook, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 250, a bill to require operators of vehicles to reduce speed to avoid accident.

The bill passes its second and third readings and is ordered enrolled.

H. B. 375, a bill to amend G. S. 66-68 to relieve certain partnerships engaged in the practice of certified public accountancy from the requirement of filing certificates of assumed name.

On motion of Senator Allsbrook, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 420, a bill to amend G. S. 90-29(c)(4) to allow the practice of dentistry by dental students at off-campus locations approved by the North Carolina State Board of Dental Examiners, as amended, upon third reading.

Senator Britt moves that the vote by which the bill, as amended, passed its second reading be reconsidered, which motion prevails.

Senator Britt moves that the vote by which Amendment No. 1 was adopted be reconsidered, which motion prevails.

Senator Britt withdraws Amendment No. 1.

Senator Harris offers Amendment No. 2 which is adopted.

Senator Soles moves that consideration of the bill, as amended, be postponed until Thursday, May 19, which motion fails to prevail.

Senator Harris calls the previous question, duly seconded. The call is sustained.

The bill, as amended, passes its second reading.

Senator Soles objects to the third reading of the bill, as amended.

Senator Royall moves that the rules be suspended to the end that the bill, as amended, be considered upon third reading, which motion prevails.

The bill, as amended, passes its third reading and is ordered sent to the House of Representatives, without objection, for concurrence in the Senate amendment, by special messenger.

H. B. 526, a bill to amend G. S. 44A-12(c) relating to the form on which all claims of lien must be filed.

The bill passes its second and third readings and is ordered enrolled.

H. B. 549, Committee Substitute for **H. B. 549,** a bill to amend G. S. 18A-16 to provide for the selection of the members of Martin County ABC Board by the Board of County Commissioners.

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On motion of Senator Winters, Committee Amendment No. 1 is adopted.

The Committee Substitute bill, as amended, passes its second reading.

On objection of Senator Stallings to its third reading the Committee Substitute bill, as amended, remains on the Calendar.

H. B. 587, Committee Substitute for **H. B. 587,** a bill to authorize Cumberland County to provide legal assistance to indigent persons in civil cases.

On motion of Senator Soles, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Monday, May 16.

H. J. R. 639, a joint resolution congratulating and commending the Pinecrest High School Girls' Basketball Team of Moore County for its performance and sportsmanship in winning the State 4-A Conference Basketball Championship.

The joint resolution passes its second and third readings and is ordered enrolled.

H. J. R. 664, a joint resolution honoring the memory of Dennis Franklin Spinnett and Robert Glenn Crawford, two Thomasville police officers, who risked and lost their lives in the line of duty.

The joint resolution passes its second and third readings and is ordered enrolled.

H. B. 820, a bill to provide for the transfer of permanent registration plates.

The bill passes its second and third readings and is ordered enrolled.

H. B. 853, a bill to authorize beer and wine elections in the Town of Cameron, North Carolina.

The bill passes its second and third readings and is ordered enrolled.

H. J. R. 979, a joint resolution commemorating the one hundredth anniversary of public health in North Carolina.

The joint resolution passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 131, an act to amend the Aid to Families with Dependent Children Program set forth in Chapter 108 of the General Statutes to mandate that persons receiving AFDC register and accept reasonable employment, to provide for public service employment priority and to provide for volunteer employment programs for persons receiving AFDC.

S. B. 293, an act to amend the Constitution of North Carolina to empower the voters to elect the Governor and Lieutenant Governor for two consecutive terms.

S. B. 440, an act to remove violation of a thirty-day misdemeanor as grounds for revocation of probation.

S. B. 455, an act relating to raffles and the game of bingo in Wayne County.

S. B. 476, an act to repeal G. S. 146-6.1 requiring registration of earth-moving equipment in the coastal area.

H. B. 132, Committee Substitute for **H. B. 132,** an act to amend G. S. 105-307 to authorize tax supervisors to grant individual extensions of time for listing property.

H. B. 501, Committee Substitute for **H. B. 501,** an act to require pawnbrokers to keep detailed records of all transactions.

On motion of Senator Henley, the Senate adjourn to meet tomorrow at 1:30 P.M.

EIGHTY-SEVENTH DAY

SENATE CHAMBER,
Thursday, May 12, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"O God, creator and sustainer of all things, accept our worship and our praise. We read in Thy Word that 'the heavens declare' Thy glory, and that 'day unto day uttereth speech.' Grant us the wisdom to listen to the many ways in which Thou art speaking to us, and having heard Thy message may we have the courage to follow it in all things. In the Master's name, we pray. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Somers, Rauch, and McDuffie for tomorrow, May 13. A leave of absence granted previously to Senator Alexander is noted.

Pursuant to G. S. 17B-4, the President appoints Senator Edward Renfrow as a member of the North Carolina Criminal Justice Education and Training System Council for a term to extend through July 1, 1978.

H. B. 729, a bill to amend the Workmen's Compensation Act regarding medical privilege.

On motion of Senator Childers, the rules are suspended and the bill is taken from the **Manufacturing, Labor and Commerce Committee** and re-referred to the **Judiciary II Committee.**

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hill for the **Constitutional Amendments Committee:**

S. B. 473, a bill to amend the Constitution and the General Statutes of North Carolina relative to the method of selection of members of the State Board of Education, with an unfavorable report as to bill, favorable as to Committee Substitute bill, as amended.

On motion of Senator Hill, the rules are suspended, and the Committee Substitute bill with amendments is placed on today's Calendar.

S. B. 514, a bill to amend the Constitution of North Carolina to facilitate speedy trials, with a favorable report, as amended.

On motion of Senator Hill, the bill is placed on the Calendar for Tuesday, May 17.

By Senator McDuffie for the **Election Laws Committee:**

S. B. 525, a bill to require newspapers to charge the lowest rate for advertisements to all persons running for public office, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator McDuffie, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

H. B. 616, a bill to make certain technical changes in Chapter 163 of the General Statutes relating to elections to conform with prior changes in the election laws, with a favorable report.

By Senator Rauch for the **Finance Committee:**

S. B. 618, a bill relating to primary forest product assessment, with a favorable report.

On motion of Senator Rauch, the bill is re-referred to the **Ways and Means Committee.**

S. B. 620, a bill relating to forest development in North Carolina, with a favorable report, as amended.

On motion of Senator Rauch, the bill is re-referred to the **Ways and Means Committee.**

H. B. 910, a bill to authorize the State Treasurer to use a facsimile signature to sign checks and warrants, and to authorize a deputy treasurer

to sign instruments during the absence or disability of the Treasurer, with a favorable report.

On motion of Senator Rauch, the bill is placed on the Calendar for Monday, May 16.

H. B. 911, a bill to amend the Local Government Finance Act to provide that bonds or notes issued thereunder are securities eligible for investment, with a favorable report.

On motion of Senator Rauch, the bill is placed on the Calendar for Monday, May 16.

H. B. 912, a bill to amend G. S. 159-161 to extend the time within which general obligation bond anticipation notes shall be payable, with a favorable report.

On motion of Senator Rauch, the bill is placed on the Calendar for Monday, May 16.

H. B. 913, a bill to amend G. S. 142-1 to permit bonds or certificates of debt of the State to be paid at banks or trust companies either within or without the State and to authorize payment of fees for services rendered by banks or trust companies, with a favorable report.

On motion of Senator Rauch, the bill is placed on the Calendar for Monday, May 16.

By Senator Harris for the **Human Resources Committee:**

H. B. 681, a bill to amend Article 5A of Chapter 122 to provide for the involuntary commitment of persons who are mentally retarded and, because of an accompanying behavior disorder, are imminently dangerous to others, with a favorable report.

H. B. 826, a bill to amend the biennial licensure fee of the Board of Examiners for Nursing Home Administrators and to authorize examination and training program fees, with a favorable report.

On motion of Senator Harris, the bill is re-referred to the **Finance Committee.**

By Senator Allsbrook for the **Judiciary I Committee:**

H. B. 5, Committee Substitute for **H. B. 5**, a bill to establish procedures for sentencing in capital cases and to fix the punishment for murder, with a favorable report.

On motion of Senator Allsbrook, the bill is placed on the Calendar for Tuesday, May 17 as Special Order of Business No. 1.

H. B. 430, a bill to provide for traffic control authority to religious organizations and assemblies on property owned or leased, with a favorable report.

By Senator Childers for the **Manufacturing, Labor and Commerce Committee:**

S. B. 416, a bill to amend G. S. 97-85 of the Workmen's Compensation Act concerning the review of awards of the Industrial Commission, without prejudice.

S. B. 468, a bill to amend Chapter 96 of the General Statutes known as the Employment Security Law to conform with federal requirements, to make technical improvements and corrections, and to remove outdated and inconsistent provisions from the law, with an unfavorable report as to bill, favorable as to Committee Substitute bill, as amended.

On motion of Senator Childers, the rules are suspended and the Committee Substitute bill, with amendment, is placed on today's Calendar.

S. B. 605, a bill to provide that service of subpoenas issued by the Industrial Commission can be done by anyone not a party to the action, in accordance with the Rules of Civil Procedure, with a favorable report.

H. B. 733, a bill to amend G. S. 97-85 of the Workmen's Compensation Act concerning the review of awards of the Industrial Commission, with a favorable report.

By Senator Combs for the **Wildlife Committee:**

S. B. 285, Committee Substitute for S. B. 285, a bill to prohibit discharging or carrying loaded firearms on public highways, with an unfavorable report as to Committee Substitute bill, favorable as to Committee Substitute No. 2 bill.

On motion of Senator Combs, the rules are suspended and the Committee Substitute No. 2 bill is placed on today's Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Winters:

S. B. 679, a bill amending G. S. 159-48(c) to authorize each county to borrow money and issue its bonds under the Local Government Bond Act in evidence thereof to provide the local share of cost to improvements to subdivisions and residential streets pursuant to G. S. 153A-205.

Referred to **Finance Committee.**

By Senator Smith of Guilford (by request):

S. B. 680, a bill to impose the one percent, eighty dollar maximum sales and use tax rate upon certain sales of mill machinery to contractors.

Referred to **Finance Committee.**

By Senator Smith of New Hanover:

S. B. 681, a bill to acquire the Blockade Runner Museum and to establish a Blockade Runner Museum Commission.

Referred to **Natural and Economic Resources Committee.**

By Senator Smith of New Hanover:

S. B. 682, a bill to appropriate funds for the operation of the Blockade Runner Museum.

Referred to **Appropriations Committee.**

By Senators Swain and Crawford:

S. B. 683, a bill to provide payment for injuries sustained by pupils in school bus accidents.

Referred to **Judiciary II Committee.**

By Senator Soles:

S. B. 684, a bill to amend Article 2 of Chapter 20 of the General Statutes, the Uniform Driver's License Act.

Referred to **Judiciary II Committee.**

By Senators Smith of Guilford and Scott:

S. B. 685, a bill to amend the Housing Authorities Law, Article 1 of Chapter 157 of the General Statutes, with respect to G. S. 157-9, G. S. 157-15, G. S. 157-17, G. S. 157-25 and G. S. 157-26 thereof.

Referred to **Finance Committee.**

By Senators Smith of Guilford, Sebo, and Gray:

S. B. 686, a bill to amend G. S. 153A-334 and G. S. 160A-375 to provide an additional remedy for the enforcement of subdivision ordinances and to further protect the purchaser of land in an unapproved subdivision.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Kincaid:

S. B. 687, a bill to amend G. S. 62-268 to provide that motor carriers may satisfy the financial responsibility requirements of the Utilities Commission through one or more insurers.

Referred to **Public Utilities and Energy Committee.**

By Senators Lake, Soles, Allsbrook, White, Swain, Rauch, Harris, Mathis, Crawford, Hardison, Lawing, Marion, Ballenger, Kincaid, McDuffie, Royall, Renfrow, Somers, Barnes, and Totherow:

S. B. 688, a bill to make the Lieutenant Governor Chairman of the State Board of Education.

Referred to **State Government Committee.**

By Senator Smith of Guilford:

S. B. 689, a bill to amend the provisions of Chapter 25A relating to preservation of consumers' claims and defenses.

Referred to **Judiciary II Committee.**

By Senator Smith of Guilford:

S. B. 690, a bill to make certain technical amendments to Rule 32 of the North Carolina Rules of Civil Procedure.

Referred to **Judiciary II Committee.**

By Senator Davis:

S. B. 691, a bill to amend G. S. 116-36, concerning endowment funds for constituent institutions of the University of North Carolina.

Referred to **Higher Education Committee.**

By Senator Davis:

S. B. 692, a bill relating to the acquisition of works of art for State buildings.

Referred to **State Government Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 31, a bill prohibiting the receiving of compensation by anyone aiding or assisting a person in obtaining employment with the State of North Carolina, for concurrence in the House amendment which is placed on the Calendar for Friday, May 13.

H. B. 227, Committee Substitute for **H. B. 227,** a bill rewriting Article 20 of Chapter 163 of the General Statutes.

Referred to **Election Laws Committee.**

H. B. 319, Committee Substitute for **H. B. 319,** a bill to disqualify from service on the Commission for the Blind those individuals who could profit from the decisions of the Commission.

Referred to **Human Resources Committee.**

H. B. 452, a bill to amend G. S. 25A-23 to allow the seller of agricultural products to take a security interest in agricultural property.

Referred to **Agriculture Committee.**

H. B. 948, a bill to clarify the Retail Installment Sales Act regarding security interests in property sold under revolving charge account contracts.

Referred to **Banking Committee.**

H. B. 1040, a bill to amend G. S. 163-302 relating to municipal elections to clarify period for absentee ballot.

Referred to **Election Laws Committee.**

H. B. 1105, a bill to confirm certain portions of the corporate limits and to ratify actions of the Board of Aldermen of the Town of Black Mountain.

Referred to **Local Government and Regional Affairs Committee.**

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CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

(Senator Henley presides over a portion of today's session.)

S. B. 102, Committee Substitute for S. B. 102, a bill to revise the interest rate on tax assessments, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 43, noes 1, as follows:

Those voting in the affirmative are: Senators Alford, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Kincaid, Lake, Marion, Marvin, Mathis, McDuffie, Palmer, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, White, Winters, and Wynne — 43.

Voting in the negative is Senator Popkin — 1.

The Committee Substitute bill is ordered sent to the House of Representatives.

S. B. 285, Committee Substitute No. 2 for S. B. 285, a bill to prohibit discharging or carrying loaded firearms on public highways.

On motion of Senator Combs, the Committee Substitute No. 2 bill is adopted, and on his further motion is placed on the Calendar for Wednesday, May 18.

S. B. 444, a bill to waive the governmental immunity of cities in tort and to require cities to respond in damages up to one hundred thousand dollars, as amended, upon third reading.

The bill, as amended, passes its third reading by roll-call vote, ayes 40, noes 5, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Davis, Garrison, Gray, Hardison, Henley, Hill, Kincaid, Lake, Marion, Mathis, McDuffie, Palmer, Popkin, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 40.

Those voting in the negative are: Senators Britt, Daniels, Harrington, Harris, and Rauch — 5.

The bill, as amended, is ordered engrossed and sent to the House of Representatives.

S. B. 445, a bill to waive the governmental immunity of counties in tort and to require counties to respond in damages up to one hundred thousand dollars, as amended, upon third reading.

The bill, as amended, passes its third reading by roll-call vote, ayes 39, noes 6, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Davis, Garrison, Gray, Hardison, Harrington, Henley, Hill, Lake, Marion, Marvin, Mathis, McDuffie, Palmer, Raynor,

Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 39.

Those voting in the negative are: Senators Britt, Daniels, Harris, Jordan, Popkin, and Rauch — 6.

The bill, as amended, is ordered engrossed and sent to the House of Representatives.

S. B. 468, Committee Substitute for S. B. 468, a bill to amend Chapter 96 of the General Statutes known as the Employment Security Law to conform with federal requirements, to make technical improvements and corrections, and to remove outdated and inconsistent provisions from the law.

On motion of Senator Childers, the Committee Substitute bill is adopted, and on his further motion is placed, with committee amendments, on the Calendar for Thursday, May 19.

S. B. 472, Committee Substitute for S. B. 472, a bill to develop a plan and policy of wildlife management for all lands suitable for this purpose owned by the State of North Carolina.

Senator Hardison offers Amendment No. 1 which is adopted.

The Committee Substitute bill, as amended, passes its second reading.

On objection of Senator Garrison to its third reading the Committee Substitute bill, as amended, remains on the Calendar.

S. B. 473, Committee Substitute for S. B. 473, a bill to amend the Constitution of North Carolina changing the method of selection of members of the State Board of Education and making the office of Superintendent of Public Instruction appointive.

On motion of Senator Hill, the Committee Substitute bill is adopted, and on his further motion is placed, with committee amendments, on the Calendar for Tuesday, May 17.

S. B. 525, Committee Substitute for S. B. 525, a bill to require newspapers to charge the comparable rate for advertisements to all persons running for public office.

On motion of Senator McDuffie, the Committee Substitute bill is adopted and on his further motion is placed on the Calendar for Monday, May 16.

S. B. 609, a bill to abolish the Civil Service Commission in the City of Hendersonville, North Carolina.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 655, a bill authorizing the Pitt County Board of Commissioners to hold a referendum of the electorate of Pitt County to determine whether Pitt County Technical Institute should be converted to a community college.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 657, Committee Substitute for S. B. 657, a bill to authorize the qualified voters of the Town of Highlands, Macon County, to determine

whether alcoholic beverage control stores shall be operated in the Town of Highlands.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

Senators Marion and Combs request to be recorded voting "no."

S. B. 666, a bill to authorize the City of Albemarle to convey certain real and personal property.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 25, Committee Substitute for **H. B. 25**, a bill to repeal G. S. 52-6 relating to the private examination of married women and to make conforming changes in related statutes, upon third reading.

Senator Allsbrook calls the previous question, duly seconded. The call is sustained.

The Committee Substitute bill passes its third reading and is ordered enrolled.

H. B. 306, Committe Substitute for **H. B. 306**, a bill to delete certain provisions of G. S. 58-9 and 58-63 re publication of reports and fees collected therefor.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 546, a bill to amend G. S. 147-50 relating to "publications of State officials and department heads, furnished to certain institutions, agencies, etc."

The bill passes its second and third readings and is ordered enrolled.

H. B. 547, a bill to repeal G. S. 147-54 and to substitute therefor provisions for the distribution and sale of the North Carolina Manual.

The bill passes its second and third readings and is ordered enrolled.

H. B. 548, Committee Substitute for **H. B. 548**, a bill to revise G. S. 147-45 in relation to the distribution of State publications.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 549, Committee Substitute for **H. B. 549**, a bill to amend G. S. 18A-16 to provide for the selection of the members of Martin County ABC Board by the Board of County Commissioners, as amended, upon third reading.

Senator Popkin offers Amendment No. 2 which is adopted.

The Committee Substitute bill, as amended, passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate amendments.

H. B. 741, a bill to revise and consolidate the Charter of the City of Wilmington, upon second reading.

On motion of Senator Smith of New Hanover, consideration of the bill is postponed until Thursday, May 26.

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H. B. 760, a bill requiring the payment of delinquent taxes in Caswell County before recording deeds conveying property subject to delinquent taxes, upon second reading.

The bill passes its second reading by roll-call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Marion, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, White, Winters, and Wynne — 44.

The bill remains on the Calendar upon third reading.

H. B. 767, Committee Substitute for **H. B. 767,** a bill to grant authority to the Town of Liberty to make and to assess cost for street improvements, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Marion, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, White, Winters, and Wynne — 44.

The Committee Substitute bill remains on the Calendar upon third reading.

H. B. 834, a bill to authorize all incorporated towns in Mecklenburg County to exercise extraterritorial zoning, upon second reading.

The bill passes its second reading by roll-call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Alford Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Marion, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, White, Winters, and Wynne — 44.

The bill remains on the Calendar upon third reading.

H. B. 886, a bill to annex two noncontiguous subdivisions and one contiguous subdivision to the Town of Nashville, upon second reading.

The bill passes its second reading by roll-call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Marion, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, White, Winters, and Wynne — 44.

The bill remains on the Calendar upon third reading.

H. B. 944, a bill concerning payment of interest on life insurance death benefits from date of death to date of payment to beneficiary.

The bill passes its second reading.

On objection of Senator Barnes to its third reading the bill remains on the Calendar.

H. B. 945, a bill to authorize the Secretary of State to dispose of surplus copies of the Public Laws and Session Laws of North Carolina.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1001, a bill to amend G. S. 138-6(a)(3) concerning travel allowances for State officers and employees.

On motion of Senator Whichard, the bill is re-referred to the **Appropriations Committee.**

H. B. 1039, a bill to revise the Charter of the Town of Castalia, North Carolina, to extend the term of office of the Board of Commissioners from two years to four.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1043, a bill to extend the corporate limits of the Town of Magnolia, upon second reading.

The bill, passes its second reading by roll-call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Marion, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, White, Winters, and Wynne — 44.

The bill remains on the Calendar upon third reading.

H. B. 1061, a bill to rewrite G. S. 153A-60(4) to provide for holding referendum on the modification of the structure of the Boards of County Commissioners.

The bill passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 336, an act to provide that any person who is 17 years old may donate blood without consent of parent or guardian.

S. B. 483, an act to provide that certain rules of the Environmental Management Commission shall be filed with the Attorney General as provided by Chapter 150A of the General Statutes.

S. J. R. 632, a joint resolution honoring the life and memory of Henry E. (Fats) Williamson.

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H. B. 250, an act to require operators of vehicles to reduce speed to avoid accident.

H. B. 420, an act to amend G. S. 90-29(c)(4) to allow the practice of dentistry by dental students at off-campus locations approved by the North Carolina State Board of Dental Examiners.

H. B. 526, an act to amend G. S. 44A-12(c) relating to the form on which all claims of lien must be filed.

H. J. R. 639, a joint resolution congratulating and commending the Pinecrest High School Girls' Basketball Team of Moore County for its performance and sportsmanship in winning the State 4-A Conference Basketball Championship.

H. J. R. 664, a joint resolution honoring the memory of Dennis Franklin Spinnett and Robert Glenn Crawford, two Thomasville police officers, who risked and lost their lives in the line of duty.

H. B. 820, an act to provide for the transfer of permanent registration plates.

H. B. 853, an act to authorize beer and wine elections in the Town of Cameron, North Carolina.

H. B. 866, an act to amend G. S. 105-466(b) to provide that the Board of County Commissioners may levy a sales tax after notice and public hearing if an election under G. S. 105-465 has not been held within five years.

H. J. R. 979, a joint resolution commemorating the one hundredth anniversary of public health in North Carolina.

On motion of Senator Royall, the Senate adojurns to meet tomorrow at 10:00 A.M.

EIGHTY-EIGHTH DAY

SENATE CHAMBER,
Friday, May 13, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we know that we do not have to plead with Thee to give us the good things of life, for Thou hast created them for our enjoyment. May we remember that all that is required of us, is to meet the reasonable conditions for receiving them, and that the fulfillment of these conditions

makes the enjoyment of Thy good gifts even more meaningful and satisfying. And to Thee shall be the praise. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Vickery and Lawing for today. Leaves of absence granted previously to Senators Alexander, McDuffie, Somers, and Rauch are noted.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Britt for the **Judiciary II Committee:**

S. B. 522, a bill to amend the North Carolina Securities Act, Chapter 78A of the General Statutes, with respect to G. S. 78A-17(9), G. S. 78A-46(d) and G. S. 78A-48(a) thereof, with a favorable report.

On motion of Senator Britt, the bill is placed on the Calendar for Tuesday, May 17.

S. B. 635, a bill to set the speed limit for buses transporting children with special needs, with a favorable report, as amended.

On motion of Senator Britt, the bill is placed on the Calendar for Tuesday, May 17.

H. B. 732, a bill to amend G. S. 97-38 of the Workmen's Compensation Act concerning proximate cause, with a favorable report.

On motion of Senator Britt, the bill is placed on the Calendar for Tuesday, May 17.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senators Walker, Vickery, Kincaid, Gray, Mathis, Webster, Sebo, Wynne, Winters, Lake, Stallings, Jordan, Marion, Childers, Hill, Scott, Palmer, Alexander, Britt, Speed, McDuffie, Alford, Smith of New Hanover, Swain, Crawford, Daniels, Harrington, Sharpe, Barnes, Soles, and Lawing:

S. B. 693, a bill to appropriate funds for capital improvements to the North Carolina Zoological Park.

Referred to **Appropriations Committee.**

By Senators Mathis, Vickery, Sebo, Winters, Wynne, Sharpe, Webster, Rauch, Stallings, Lawing, Jordan, Walker, McDuffie, Childers, White, Alexander, Palmer, Scott, Ballenger, Raynor, Royall, Barnes, and Marion:

S. B. 694, a bill to amend the Constitution of North Carolina to empower the voters to elect the members of the General Assembly for four-year terms.

Referred to **Constitutional Amendments Committee.**

By Senator Winters:

S. B. 695, a bill to provide for the interchange of governmental employees to be known as the North Carolina Interchange of Governmental Employees Act of 1977.

Referred to **State Government Committee.**

By Senator Winters:

S. J. R. 696, a joint resolution honoring John Haywood Baker, Jr.

On motion of Senator Winters, the rules are suspended and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

By Senator Allsbrook:

S. B. 697, a bill to amend G. S. 55A-15 to authorize nonprofit hospital corporations to purchase officers and directors liability insurance.

Referred to **Insurance Committee.**

By Senator Allsbrook:

S. J. R. 698, a joint resolution creating a special commission to complete the Legislative Research Commission Study of the feasibility of constructing and financing in North Carolina upon a self-supporting basis or otherwise an indoor sports facility.

Referred to **Rules and Operation of the Senate Committee.**

By Senator Davis:

S. B. 699, a bill to amend G. S. 14-87 to increase the minimum penalty for robbery with firearms or other dangerous weapons from five to ten years.

Referred to **Judiciary II Committee.**

By Senator Sebo:

S. B. 700, a bill to appropriate funds to the Department of Human Resources for fiscal years 1977-1979 to be used for the Aid to Families with Dependent Children — Foster Care Program.

Referred to **Appropriations Committee.**

By Senator Sebo:

S. B. 701, a bill to authorize local boards of education and the boards of trustees of community colleges and technical institutes to enter into agreements regarding the admission of public school students to community colleges and technical institutes.

Referred to **Education Committee.**

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By Senator Sebo:

S. B. 702, a bill relating to capacity to marry and permission therefor.
Referred to **Judiciary II Committee.**

By Senator Barnes:

S. B. 703, a bill to authorize the Town of Mount Olive to exercise the power of eminent domain pursuant to Article 9, Chapter 136 of the General Statutes.

On motion of Senator Barnes, the rules are suspended and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

By Senator Barnes:

S. B. 704, a bill to authorize the Attorney General to establish a paralegal classification within the Department of Justice.
Referred to **Judiciary I Committee.**

By Senator Barnes:

S. B. 705, a bill to revise G. S. 143-128 concerning separate specifications for branches of work in the construction of public buildings.
Referred to **State Government Committee.**

By Senator Barnes:

S. B. 706, a bill to authorize changes in public building construction after initial design and to reduce the obligation of sureties on bid bonds.
Referred to **State Government Committee.**

By Senators White and Allsbrook:

S. B. 707, a bill to appropriate funds for watershed improvement projects on the Chicod and Swift Creeks.
Referred to **Appropriations Committee.**

By Senators Henley and Raynor:

S. B. 708, a bill to exclude from inheritance taxation the amount of seventy thousand dollars paid as a result of a military family protection, or survivor benefit, plan.
Referred to **Finance Committee.**

By Senator Henley:

S. B. 709, a bill to amend G. S. 66-58 relating to the sale of merchandise by State government units.
Referred to **State Government Committee.**

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. B. 392

HOUSE OF REPRESENTATIVES
May 12, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate amendments to **H. B. 392**, a bill to be entitled an act to require special tests for persons wishing to be licensed to operate a motorcycle, and requests conferees. The Speaker has appointed Representatives Miller, Spoon, and Michaux on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,
GRACE A. COLLINS
Principal Clerk

Senator Daniels moves that the President appoint conferees, which motion prevails. The President appoints Senators Royall, Daniels, and Marvin as conferees on the part of the Senate and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. J. R. 111, a joint resolution urging the Employment Security Commission to issue Form 1099 information returns to recipients of unemployment compensation, for concurrence in the House amendment which is placed on the Calendar for Monday, May 16.

S. B. 213, House Committee Substitute for **S. B. 213**, a bill to change the members of the Board of Transportation, to abolish the Secondary Roads Council and to make other changes in the laws relating to the Department of Transportation.

Referred to **Transportation Committee.**

H. B. 927, Committee Substitute for **H. B. 927**, a bill to authorize savings and loan associations to utilize off-premises electronic information and funds transfer terminals.

Referred to **Banking Committee.**

H. B. 997, a bill to amend Section 10-8 of the General Statutes to increase notary fees.

Referred to **Judiciary II Committee.**

H. B. 1030, a bill to authorize the Board of Commissioners of Granville County to pay costs incurred in renovating the old nursing home of Granville County and to validate payment already made.

Referred to **Local Government and Regional Affairs Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 31, a bill prohibiting the receiving of compensation by anyone aiding or assisting a person in obtaining employment with the State of North Carolina, for concurrence in the House amendments.

On motion of Senator Crawford, the Senate concurs in the House amendments No. 1, No. 2, and No. 3 and the bill is ordered enrolled.

S. B. 416, a bill to amend G. S. 97-85 of the Workmen's Compensation Act concerning the review of awards of the Industrial Commission.

On motion of Senator Childers, duly seconded, the bill is postponed indefinitely.

S. B. 472, Committee Substitute for S. B. 472, a bill to develop a plan and policy of wildlife management for all lands suitable for this purpose owned by the State of North Carolina, as amended, upon third reading.

On motion of Senator Combs, consideration of the Committee Substitute bill, as amended, is postponed until Monday, May 16.

S. B. 497, a bill to provide for the nomination and election of the Buncombe County Board of Education.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 605, a bill to provide that service of subpoenas issued by the Industrial Commission can be done by anyone not a party to the action, in accordance with the Rules of Civil Procedure.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 430, a bill to provide for traffic control authority to religious organizations and assemblies on property owned or leased, upon second reading.

The bill passes its second reading by roll-call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Lake, Marion, Marvin, Mathis, Palmer, Popkin, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Walker, Webster, White, Winters, and Wynne — 38.

The bill remains on the Calendar upon third reading.

H. B. 616, a bill to make certain technical changes in Chapter 163 of the General Statutes relating to elections to conform with prior changes in the election laws.

On motion of Senator Allsbrook, consideration of the bill is postponed until Wednesday, May 18.

H. B. 681, a bill to amend Article 5A of Chapter 122 to provide for the involuntary commitment of persons who are mentally retarded and, because of an accompanying behavior disorder, are imminently dangerous to others.

On motion of Senator Allsbrook, consideration of the bill is postponed until Monday, May 16.

H. B. 733, a bill to amend G. S. 97-85 of the Workmen's Compensation Act concerning the review of awards of the Industrial Commission.

The bill passes its second and third readings and is ordered enrolled.

H. B. 760, a bill requiring the payment of delinquent taxes in Caswell County before recording deeds conveying property subject to delinquent taxes, upon third reading.

The bill passes its third reading by roll-call vote, ayes 37, noes, 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Lake, Marion, Marvin, Mathis, Popkin, Raynor, Renfrow, Royall, Scott, Sharpe, Smith of Guilford, Smith of New Hanover, Stallings, Swain, Walker, Webster, Whichard, White, Winters, and Wynne — 37.

The bill is ordered enrolled.

H. B. 767, Committee Substitute for **H. B. 767,** a bill to grant authority to the Town of Liberty to make and to assess cost for street improvements, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 37, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Lake, Marion, Marvin, Mathis, Popkin, Raynor, Renfrow, Royall, Scott, Sharpe, Smith of Guilford, Smith of New Hanover, Stallings, Swain, Walker, Webster, Whichard, White, Winters, and Wynne — 37.

The Committee Substitute bill is ordered enrolled.

H. B. 834, a bill to authorize all incorporated towns in Mecklenburg County to exercise extraterritorial zoning, upon third reading.

The bill passes its third reading by roll-call vote, ayes 37, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Lake, Marion, Marvin, Mathis, Popkin, Raynor, Renfrow, Royall, Scott, Sharpe, Smith of Guilford, Smith

of New Hanover, Stallings, Swain, Walker, Webster, Whichard, White, Winters, and Wynne — 37.

The bill is ordered enrolled.

H. B. 886, a bill to annex two noncontiguous subdivisions and one contiguous subdivision of the Town of Nashville, upon third reading.

The bill passes its third reading by roll-call vote, ayes 37, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Lake, Marion, Marvin, Mathis, Popkin, Raynor, Renfrow, Royall, Scott, Sharpe, Smith of Guilford, Smith of New Hanover, Stallings, Swain, Walker, Webster, Whichard, White, Winters, and Wynne — 37.

The bill is ordered enrolled.

H. B. 944, a bill concerning payment of interest on life insurance death benefits from date of death to date of payment to beneficiary, upon third reading.

The bill passes its third reading and is ordered enrolled.

H. B. 1043, a bill to extend the corporate limits of the Town of Magnolia, upon third reading.

The bill passes its third reading by roll-call vote, ayes 37, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Lake, Marion, Marvin, Mathis, Popkin, Raynor, Renfrow, Royall, Scott, Sharpe, Smith of Guilford, Smith of New Hanover, Stallings, Swain, Walker, Webster, Whichard, White, Winters, and Wynne — 37.

The bill is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 187, an act to amend and to correct omissions and internal inconsistencies in Chapter 159B of the General Statutes.

S. B. 298, an act to clarify requirement of candidate seeking nomination by filing petition in lieu of paying filing fee.

S. B. 481, an act to amend G. S. 139-7 to change pertinent dates in the appointment of soil and water conservation districts' supervisors.

S. B. 496, an act to exempt certain property owned by the Franklinton City School Administrative Unit from G. S. 115-131.

S. B. 564, an act to amend Chapter 7A to validate all official actions of district court judges of the 25th Judicial District performed after mandatory retirement age.

S. J. R. 582, a joint resolution extending goodwill and best wishes to Her Majesty, Elizabeth II, Queen of England, in the twenty-fifth year of her reign.

H. B. 25, Committee Substitute for H. B. 25, an act to repeal G. S. 52-6 relative to the private examination of married women and to make conforming changes in related statutes.

H. B. 175, an act to set venue for actions to recover a deficiency judgement on a secured debt.

H. B. 306, Committee Substitute for H. B. 306, an act to delete certain provisions of G. S. 58-9 and 58-63 re publication of reports and fees collected therefor.

H. B. 375, an act to amend G. S. 66-68 to relieve certain partnerships engaged in the practice of certified public accountancy from the requirement of filing certificates of assumed name.

H. B. 546, an act to amend G. S. 147-50 relating to "publications of State officials and department heads, furnished to certain institutions, agencies, etc."

H. B. 547, an act to repeal G. S. 147-54 and to substitute therefor provisions for the distribution and sale of the North Carolina Manual.

H. B. 548, Committee Substitute for H. B. 548, an act to revise G. S. 147-45 in relation to the distribution of State publications.

H. B. 945, an act to authorize the Secretary of State to dispose of surplus copies of the Public Laws and Session Laws of North Carolina.

H. B. 1039, an act to revise the Charter of the Town of Castalia, North Carolina, to extend the term of office of the Board of Commissioners from two years to four.

H. B. 1061, an act to rewrite G. S. 153A-60(4) to provide for holding referendum on the modification of the structure of the Boards of County Commissioners.

On motion of Senator Henley, the Senate adjourns to meet Monday at 8:00 P.M.

EIGHTY-NINTH DAY

SENATE CHAMBER,
Monday, May 16, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Reverend Marvin Faile, Pastor of First Baptist Church, Roanoke Rapids.

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of Friday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President recognizes the following pages serving in the Senate this week: Rufus Beaty, Madison; Norma Best, Castalia; Billy Branner, Charlotte; Tommy Burch, Charlotte; Albert Clyburn, Raleigh; Kathy Fahrenkamp, Raleigh; Linda Gray, Butner; Danna House, Raleigh; Kim Mangum, Raleigh; Tommy Mitchell, Roseboro; Staton Poole, Raleigh; William Porter, Hendersonville; Jeff Powell, Raleigh; Kim Powell, Raleigh; Edith Robbins, Aberdeen; Ann Shoulars, Raleigh; Doris Smith, Raleigh; Sara Watson, Tabor City; Frank Wells, Benson; Tanja White, Raleigh; and Donna York, Charlotte.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Stallings for the **Education Committee:**

S. B. 237, a bill to promote and provide for community involvement in and use of the public schools, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Stallings, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S. B. 370, a bill to authorize the implementation of a pilot project in Caldwell County to test the concept of using school buses for school related activities during and after the regularly organized school day, with a favorable report, as amended.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Wynne:

S. B. 710, a bill to amend G. S. 116-143 to provide that faculty and staff members of the University of North Carolina may enroll for tuition-free courses within the University.

Referred to **Higher Education Committee.**

By Senator Wynne:

S. B. 711, a bill to abolish the office of coroner in North Carolina.

Referred to **Human Resources Committee.**

By Senator Daniels:

S. B. 712, a bill to provide for the development and promotion of historic Edenton and other historic sites in northeastern North Carolina.

Referred to **Appropriations Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 671, a bill to regulate the setting of steel traps and connibear traps in certain counties.

Referred to **Wildlife Committee.**

H. J. 1022, a joint resolution urging the Congress to take appropriate action to override the Food and Drug Administration's decision to ban the use of saccharin.

Referred to **Rules and Operation of the Senate Committee.**

H. B. 1025, a bill to permit vehicles transporting human tissues and organs to use warning devices and red lights.

Referred to **Judiciary II Committee.**

H. B. 1034, a bill to expand the membership and powers of the North Carolina Historical Commission.

Referred to **State Government Committee.**

H. B. 1045, a bill to amend Chapter 160A of the General Statutes relating to annexation by municipalities in Pamlico County.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 1047, a bill to increase the identification requirements of practitioners licensed by law to administer drugs.

Referred to **Human Resources Committee.**

H. B. 1079, a bill to increase the annual license renewal fee for podiatrists from a fee not to exceed fifty dollars to a fee not to exceed one hundred fifty dollars.

Referred to **Human Resources Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. J. R. 111, a joint resolution urging the Employment Security Commission to issue Form 1099 information returns to recipients of unemployment compensation, for concurrence in the House amendment.

On motion of Senator Renfrow, the Senate concurs in the House amendment and the joint resolution is ordered enrolled.

S. B. 237, Committee Substitute for **S. B. 237**, a bill to promote and provide for community involvement in and use of the public schools.

On motion of Senator Stallings, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Wednesday, May 18.

S. B. 472, Committee Substitute for **S. B. 472**, a bill to develop a plan and policy of wildlife management for all lands suitable for this purpose owned by the State of North Carolina, as amended, upon third reading.

On motion of Senator Garrison, the Committee Substitute bill, as amended, is re-referred to the **State Government Committee.**

S. B. 525, Committee Substitute for **S. B. 525**, a bill to require newspapers to charge the comparable rate for advertisements to all persons running for public office.

The Committee Substitute bill passes its second reading.

On objection of Senator Swain to its third reading the Committee Substitute bill remains on the Calendar upon third reading.

H. B. 430, a bill to provide for traffic control authority to religious organizations and assemblies on property owned or leased, upon third reading.

The bill passes its third reading by roll-call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 47.

The bill is ordered enrolled.

H. B. 587, Senate Committee Substitute for **H. B. 587**, a bill to authorize Cumberland County to provide legal assistance to indigent persons in civil cases.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate Committee Substitute bill.

H. B. 589, Committee Substitute for **H. B. 589**, a bill to authorize towns in Brunswick County having less than 500 population to hold malt beverages

and unfortified wine elections as authorized in Chapter 18A of the General Statutes.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

Senator Marion requests to be recorded voting "no."

H. B. 681, a bill to amend Article 5A of Chapter 122 to provide for the involuntary commitment of persons who are mentally retarded and, because of an accompanying behavior disorder, are imminently dangerous to others.

The bill passes its second and third readings and is ordered enrolled.

H. B. 910, a bill to authorize the State Treasurer to use a facsimile signature to sign checks and warrants, and to authorize a deputy treasurer to sign instruments during the absence or disability of the Treasurer.

The bill passes its second and third readings and is ordered enrolled.

H. B. 911, a bill to amend the Local Government Finance Act to provide that bonds or notes issued thereunder are securities eligible for investment, upon second reading.

The bill passes its second reading by roll-call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 46.

The bill remains on the Calendar upon third reading.

H. B. 912, a bill to amend G. S. 159-161 to extend the time within which general obligation bond anticipation notes shall be payable, upon second reading.

The bill passes its second reading by roll-call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Kincaid, Lake, Lawing, Marion, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 44.

The bill remains on the Calendar upon third reading.

H. B. 913, a bill to amend G. S. 142-1 to permit bonds or certificates of debt of the State to be paid at banks or trust companies either within or without the State and to authorize payment of fees for services rendered by such banks or trust companies, upon second reading.

The bill passes its second reading by roll-call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Barnes, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 46.

The bill remains on the Calendar upon third reading.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. J. R. 696, a joint resolution honoring John Haywood Baker, Jr.

H. B. 733, an act to amend G. S. 97-85 of the Workmen's Compensation Act concerning the review of awards of the Industrial Commission.

H. B. 760, an act requiring the payment of delinquent taxes in Caswell County before recording deeds conveying property subject to delinquent taxes.

H. B. 767, Committee Substitute for **H. B. 767,** an act to grant authority to the Town of Liberty to make and to assess cost for street improvements.

H. B. 834, an act to authorize all incorporated towns in Mecklenburg County to exercise extraterritorial zoning.

H. B. 886, an act to annex two noncontiguous subdivisions and one contiguous subdivision to the Town of Nashville.

H. B. 944, an act concerning payment of interest on life insurance death benefits from date of death to date of payment to beneficiary.

H. B. 1043, an act to extend the corporate limits of the Town of Magnolia.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:30 P.M.

NINETIETH DAY

SENATE CHAMBER,
Tuesday, May 17, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we would offer to Thee this day not only thanksgiving for all that we have received from Thee, but also for all that we have received from our family, our friends and our associates. So many of those we have known have left a deposit of good things in us. At this commencement season of the year, we are especially reminded of what we owe to those who taught us in the past, and to those who teach us now, by the example they set, and the spirit by which their lives are governed. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Hill for Wednesday, Thursday, and Friday, May 18, 19, and 20.

The President announces that pursuant to **S. J. R. 499**, a Joint Session of the Senate and House of Representatives to act upon the confirmation of the appointments of the Governor to the North Carolina Utilities Commission is set for Thursday, May 19, 1977, at 2:00 P.M.

Pursuant to **H. B. 1999** of the 1973 General Assembly, Second Session 1974 (Session Laws, Chapter 1457), Senator White submits the Report of the State Farm Operations Commission of the Department of the Administration. The Senate accepts the Report. (A copy of this report is filed in the Legislative Library.)

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator White for the **Agriculture Committee:**

H. B. 977, a bill to amend G. S. 119-49 relating to liquefied petroleum gases, with a favorable report.

By Senator Marion for the **Courts and Judicial Districts Committee:**

S. B. 395, a bill to appropriate funds to the Administrative Office of Courts for two additional deputy clerks and equipment in each of the offices of the Clerk of Superior Court in Chatham, Moore, Orange and Randolph Counties, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Marion, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

H. B. 536, Committee Substitute for **H. B. 536**, a bill to allow any prospective juror sixty-five years of age or older to be exempt from jury service upon written application to the clerk of court, with a favorable report.

By Senator Stallings for the **Education Committee:**

H. B. 205, a bill to provide for annual testing in the public schools in order to assess the effectiveness of the educational process, with a favorable report, as amended.

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 532, a bill to provide that the use of minors in sexually explicit materials shall constitute child abuse, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Allsbrook, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

By Senator Britt for the **Judiciary II Committee:**

S. B. 192, a bill to prohibit the public display of sexually explicit material in establishments frequented by minors, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Britt, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S. B. 424, a bill to redefine practice of optometry consistent with modern advances in science and optometry, with a favorable report, as amended.

S. B. 617, a bill to amend G. S. 95-138 concerning civil penalties, with a favorable report.

H. B. 653, a bill to amend the controlled substances act to schedule controlled substances previously scheduled by regulation and to make technical corrections in the act, with a favorable report.

On motion of Senator Britt, the bill is re-referred to the **Appropriations Committee.**

By Senator Combs for the **Wildlife Committee:**

H. B. 431, a bill to authorize counties and cities to regulate the possession of dangerous animals, with a favorable report.

H. B. 615, a bill to prohibit the hunting of bear in Hyde County, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Wynne:

S. B. 713, a bill to alter the authority of the Board of Governors of the University of North Carolina with respect to the licensing of degree-granting educational institutions.

Referred to **Higher Education Committee.**

May 17, 1977

By Senator Allsbrook:

S. B. 714, a bill to make Part 3 of Article 4A, Chapter 160A of the General Statutes, applicable to the City of Roanoke Rapids, subject to a vote of the people in Roanoke Rapids Township.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Harris:

S. B. 715, a bill to amend Article 9, Chapter 65 of the General Statutes relating to cemeteries.

Referred to **State Government Committee.**

By Senator Renfrow:

S. B. 716, a bill to permit counties to recover indirect costs on health and mental health programs to the full extent permitted by law.

Referred to **Human Resources Committee.**

By Senator Renfrow:

S. B. 717, a bill to amend G. S. 7A-69 to give an investigatorial assistant to the District Attorney in the Eleventh Judicial District.

Referred to **Courts and Judicial Districts Committee.**

By Senators Hardison and Royall:

S. B. 718, a bill to appropriate Title II Antirecession Funds pursuant to emergency order issued by the Governor.

Referred to **Appropriations Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 850, a bill to incorporate the Town of Beech Mountain South.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 1075, a bill to amend G. S. 20-81.2 to further define requirements of special license plates for historic vehicles.

Referred to **Transportation Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

SPECIAL ORDER NO. 1

H. B. 5

The hour having arrived for the consideration of Special Order No. 1, the President of the Senate lays before the Senate Special Order No. 1, it

being H. B. 5, Committee Substitute for H. B. 5, a bill to establish procedures for sentencing in capital cases and to fix the punishment for murder.

Senator Whichard offers Amendment No. 1.

Senator Allsbrook calls the previous question, duly seconded. The call is sustained.

Amendment No. 1 fails of adoption.

Senator Smith of Guilford offers Amendment No. 2.

Senator Smith of Guilford calls the previous question, duly seconded. The call is sustained.

Amendment No. 2 fails of adoption.

Senator Britt offers Amendment No. 3.

Senator Allsbrook calls the previous question, duly seconded. The call is sustained.

Amendment No. 3 is adopted.

Senator Sebo offers Amendment No. 4.

Senator Allsbrook calls the previous question, duly seconded. The call is sustained.

Amendment No. 4 fails of adoption.

Senator Smith of Guilford offers Amendment No. 5.

Senator Allsbrook calls the previous question, seconded by Senator Hardison. The call is sustained.

Amendment No. 5 fails of adoption.

Senator Smith of Guilford offers Amendment No. 6.

Senator Allsbrook moves that Amendment No. 6 do lie upon the table, which motion prevails, and Amendment No. 6 lies upon the table.

Senator Allsbrook calls the previous question, seconded by Senator Hardison. The call is sustained.

The Committee Substitute bill, as amended, passes its second reading.

Without objection, Senator Sharpe is excused from voting for the stated reason: "Conflict with professional interest."

Senator Sebo objects to the third reading of the Committee Substitute bill, as amended.

Senator Allsbrook moves that the rules be suspended to the end that the bill, as amended, be considered upon third reading, which motion fails to prevail.

The Committee Substitute bill, as amended, remains on the Calendar upon third reading.

On motion of Senator Allsbrook, the Committee Substitute bill, as amended, is placed on the Calendar as Special Order of Business No. 1 for Wednesday, May 18.

S. B. 192, Committee Substitute for S. B. 192, a bill to prohibit the public display of sexually explicit material in establishments frequented by minors.

On motion of Senator Britt, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Thursday, May 19.

S. B. 370, a bill to authorize the implementation of a pilot project in Caldwell to test the concept of using school buses for school related activities during and after the regularly organized school day.

On motion of Senator Stallings, Committee Amendments No. 1 and No. 2 are adopted.

On motion of Senator Hardison, the bill, as amended, is re-referred to the **Appropriations Committee.**

S. B. 395, Committee Substitute for **S. B. 395**, a bill to appropriate funds to the Administrative Office of Courts for additional deputy clerks of court and clerical equipment in certain counties.

On motion of Senator Marion, the Committee Substitute bill is adopted, and on his further motion is re-referred to the **Appropriations Committee.**

S. B. 525, Committee Substitute for **S. B. 525**, a bill to require newspapers to charge the comparable rate for advertisements to all persons running for public office, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 36, noes 6, as follows:

Those voting in the affirmative are: Senators Alexander, Allsbrook, Ballenger, Barnes, Britt, Combs, Davis, Garrison, Gray, Harris, Henley, Hill, Kincaid, Lake, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, White, Winters, and Wynne — 36.

Those voting in the negative are: Senators Alford, Childers, Daniels, Hardison, Marion, and Webster — 6.

The Committee Substitute bill is ordered sent to the House of Representatives.

S. B. 532, a bill to provide that the use of minors in sexually explicit materials shall constitute child abuse.

On motion of Senator Allsbrook, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Thursday, May 19.

H. B. 911, a bill to amend the Local Government Finance Act to provide that bonds or notes issued thereunder are securities eligible for investment, upon third reading.

The bill passes its third reading by roll-call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Kincaid, Marion, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, White and Wynne — 39.

The bill is ordered enrolled.

H. B. 912, a bill to amend G. S. 159-161 to extend the time within which general obligation bond anticipation notes shall be payable, upon third reading.

The bill passes its third reading by roll-call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Kincaid, Marion, Marvin, McDuffie, Palmer,

Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, White, and Wynne — 39.

The bill is ordered enrolled.

H. B. 913 a bill to amend G. S. 142-1 to permit bonds or certificates of debt of the State to be paid at banks or trust companies either within or without the State and to authorize payment of fees for services rendered by such banks or trust companies, upon third reading.

The bill passes its third reading by roll-call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Kincaid, Marion, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, White, and Wynne — 39.

The bill is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 31, an act prohibiting the receiving of compensation by anyone aiding or assisting a person in obtaining employment with the State of North Carolina.

S. J. R. 111, a joint resolution urging the Employment Security Commission to issue Form 1099 information returns to recipients of unemployment compensation.

S. B. 379, an act to extend to counties the power presently granted to cities to borrow money and issue general obligation bonds to pay capital costs for providing public transportation systems.

H. B. 430, an act to provide for traffic control authority to religious organizations and assemblies on property owned or leased.

H. B. 589, Committe Substitute for H. B. 589, an act to authorize towns in Brunswick County having less than 500 population to hold malt beverages and unfortified wine elections as authorized in Chapter 18A of the General Statutes.

H. B. 681, an act to amend Article 5A of Chapter 122 to provide for the involuntary commitment of persons who are mentally retarded and, because of an accompanying behavior disorder, are imminently dangerous to others.

H. B. 910, an act to authorize the State Treasurer to use facsimile signature to sign checks and warrants, and to authorize a deputy treasurer to sign instruments during the absence or disability of the Treasurer.

May 17, 1977

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:30 P.M.

NINETY-FIRST DAY

SENATE CHAMBER,
Wednesday, May 18, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Reverend Wayne Adkisson, Pastor of Winterville Baptist Church, Winterville, as follows:

"Our Father, make us aware that You really care what happens here today, and refresh our minds that we might do well the work that is ours. Renew within us a sense of responsibility, not only to those whom we serve, but to You to Whom we look for direction. Remind us of a greater standard by which we pattern our lives and make our judgements — a standard of love that knows no partiality — a standard of compassion that embraces all human suffering — a standard of wisdom that reflects minds informed and guided by Your Spirit — a Spirit of dealing redemptively with all men — that we may individually be Your ambassadors in a world that needs to hear a voice of confidence — that we may corporately speak boldly with one voice convictions upon which our great State was founded, and that when all is said and done, we will have met the requirements of faithful servants — to work for justice, to bear the mark of steadfast love, and to walk humbly with our God, in Whose name we make our prayer. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Vickery for today. A leave of absence granted previously to Senator Hill is noted.

Pursuant to G. S. 164-14, the President appoints Senator Robert S. Swain as a member of the North Carolina General Statutes Commission for a two-year term commencing June 1, 1977, and expiring May 31, 1979.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hardison for the **Appropriations Committee:**

S. B. 718, a bill to appropriate Title II Antirecession funds pursuant to emergency order issued by the Governor, with a favorable report.

On motion of Senator Hardison, the bill is re-referred to the **Ways and Means Committee.**

By Senator Marion for the **Courts and Judicial Districts Committee:**

S. B. 130, a bill to amend Chapter 7A of the General Statutes and to add magistrates in Watauga County, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Marion, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

S. B. 390, a bill to increase the civil jurisdictional amount for magistrates and district courts, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Marion, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

By Senator Smith of Guilford for the **Criminal Justice and Crime Control Committee:**

S. B. 530, a bill to raise the minimum term for imprisonment in the State Prison System from 30 to 180 days, with a favorable report, as amended.

By Senator Rauch for the **Finance Committee:**

S. B. 543, a bill to amend G. S. 105-357(a) relating to the payment of ad valorem taxes, with a favorable report, as amended.

S. B. 545, a bill to empower personal representatives to make elections of certain personal and household effects for federal tax purposes, with a favorable report.

On motion of Senator Rauch, the bill is placed on the Calendar for Monday, May 23.

S. B. 546, a bill to conform State income tax provisions relative to child care expenses to the provisions of the Internal Revenue Code, with a favorable report.

On motion of Senator Rauch, the bill is re-referred to the **Ways and Means Committee.**

S. B. 547, a bill to conform the replacement period for involuntarily converted real property held for productive use or investment, for State income tax purposes, to that provided for federal income tax purposes, with a favorable report.

On motion of Senator Rauch, the bill is placed on the Calendar for Monday, May 23.

S. B. 548, a bill to provide tax incentives to encourage preservation of historic structures, with a favorable report.

May 18, 1977

On motion of Senator Rauch, the bill is placed on the Calendar for Monday, May 23.

S. B. 549, a bill to conform the State income tax treatment of alimony to that provided under the Internal Revenue Code, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Rauch, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S. B. 586, a bill to increase to ten thousand dollars the size of an estate for which no inheritance tax return is required, with a favorable report.

On motion of Senator Rauch, the bill is re-referred to the **Ways and Means Committee.**

S. B. 587, a bill to amend G. S. 105-163.6 relating to wages withheld for income tax purposes, with a favorable report.

On motion of Senator Rauch, the bill is placed on the Calendar for Monday, May 23.

S. B. 596, a bill to provide for inclusion in gross estate for inheritance tax purposes the value of all gifts made within three years of donor's death, with a favorable report.

On motion of Senator Rauch, the bill is placed on the Calendar for Monday, May 23.

By Senator Soles for the **Local Government and Regional Affairs Committee.**

S. B. 177, a bill to incorporate the Town of Brinson Beach in Pamlico County, with a favorable report.

S. B. 686, a bill to amend G. S. 153A-334 and G. S. 160A-375 to provide an additional remedy for the enforcement of subdivision ordinances and to further protect the purchaser of land in an unapproved subdivision, with a favorable report.

S. B. 714, a bill to make Part 3 of Article 4A, Chapter 160A of the General Statutes, applicable to the City of Roanoke Rapids, subject to a vote of the people in Roanoke Rapids Township, with a favorable report.

H. B. 661, a bill to authorize and empower the Town Council of the Town of Southern Pines to construct and install or contract for the construction and installation, of local improvements on its public streets and alleys, and to specially assess such portion of the costs thereof, exclusive of that incurred at street intersections, as it may determine against the property abutting upon such public street or alley so improved; and prescribing the procedure therefor, with a favorable report.

H. B. 762, a bill to authorize a levy of not more than one dollar per year upon vehicles resident in Caswell County, with a favorable report.

H. B. 813, Committee Substitute for **H. B. 813,** a bill to permit the City of Charlotte and the incorporated cities and towns in Cumberland County

to increase their license tax levy on motor vehicles, with a favorable report, as amended.

H. B. 1030, a bill to authorize the Board of Commissioners of Granville County to pay the costs incurred in renovating the old nursing home of Granville County and to validate payment already made, with a favorable report.

H. B. 1105, a bill to confirm certain portions of the corporate limits and to ratify actions of the Board of Aldermen of the Town of Black Mountain, with a favorable report.

By Senator Henley for the **Rules and Operation of the Senate Committee:**

S. R. 641, a resolution directing the Legislative Research Commission to study legislative policy for providing assistance to undergraduate North Carolinians attending private colleges and universities as defined by G. S. 116-22, with recommendation that it be adopted.

On motion of Senator Henley, the rules are suspended and the resolution is placed before the Senate for immediate consideration, and on his further motion is adopted. (The text of the resolution appears in the Appendix.)

S. J. R. 652, a joint resolution directing the Legislative Research Commission to study the feasibility of establishing within North Carolina a bicycle registration or similar program to provide the citizens of the State with a deterrent to bicycle theft, a means for determining ownership of bicycles, and identification of injured bicyclists, with a favorable report, as amended.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Hill:

S. B. 719, a bill to reorganize the Savings and Loan Division of the Department of Commerce and the Savings and Loan Commission to provide for appointment of the administrator by the Secretary of Commerce.

Referred to **Banking Committee.**

By Senator Popkin:

S. B. 720, a bill to increase the annual license fee of building and loan associations and to require such fee for each branch.

Referred to **Banking Committee.**

By Senator Vickery:

S. B. 721, a bill to provide for the reduction of certain traffic infractions and to provide for administrative adjudication of traffic infractions.

Referred to **Judiciary I Committee.**

By Senator Mathis:

S. B. 722, a bill to amend G. S. 15A-247, issuance of order.
Referred to **Judiciary I Committee.**

By Senator Barnes:

S. B. 723, a bill to increase the penalty for breaking and entering.
Referred to **Judiciary I Committee.**

By Senator Davis:

S. B. 724, a bill amending Chapter 6 of the General Statutes to provide for the recovery of attorney fees and other costs in civil actions which are determined to be frivolous, taken in bad faith or without substantial justification.
Referred to **Judiciary I Committee.**

By Senators Walker, Royall, Whichard, and Scott:

S. B. 725, a bill to create in the Department of Administration an Advocacy Council for the Handicapped.
Referred to **Human Resources Committee.**

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. B. 549, Committee Substitute for H. B. 549

HOUSE OF REPRESENTATIVES
May 18, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate amendments to H. B. 549, Committee Substitute for H. B. 549, a bill to amend G. S. 18A-16 to provide for the selection of the members of Martin County Alcoholic Beverage Control Board by the Board of County Commissioners, and requests conferees. The Speaker has appointed Representatives Baker, Hurst, and Farmer on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,
GRACE A. COLLINS
Principal Clerk

Senator White moves that the President appoint conferees, which motion prevails. The President appoints Senators Walker, White, and Lawing as conferees on the part of the Senate and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 824, Committee Substitute for **H. B. 824,** a bill to provide for a system of educational opportunities for all children requiring special education.

Referred to **Education Committee.**

H. B. 917, a bill to amend Chapter 841 of the Session Laws of 1955 relating to the establishing alcoholic beverage control stores in the City of High Point.

Referred to **Alcoholic Beverage Control Committee.**

H. B. 998, a bill amending G. S. 24-14 relating to loans secured by secondary or junior mortgages.

Referred to **Banking Committee.**

H. B. 1000, a bill to amend G. S. 136-18 to authorize the Department of Transportation to condemn for improvements to State maintained secondary roads under certain conditions.

Referred to **Transportation Committee.**

H. B. 1130, a bill to appropriate Title II Antirecession Funds pursuant to emergency order issued by the Governor.

Referred to **Ways and Means Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

SPECIAL ORDER NO. 1

H. B. 5

The hour having arrived for the consideration of Special Order No. 1, the President of the Senate lays before the Senate Special Order No. 1, it being **H. B. 5,** Committee Substitute for **H. B. 5,** a bill to establish procedures for sentencing in capital cases and to fix the punishment for murder, as amended, upon third reading.

The Committee Substitute bill, as amended, passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate amendment by special messenger.

Without objection, Senator Sharpe is excused from voting for the following reason: "Conflict with professional interest."

S. B. 130, Committee Substitute for S. B. 130, a bill to amend G. S. 7A-133 to authorize additional magistrates in certain counties and to provide funds for authorized magistrates in other counties.

On motion of Senator Marion, the Committee Substitute bill is adopted, and on his further motion is re-referred to the **Appropriations Committee.**

S. B. 237, Committee Substitute for S. B. 237, a bill to promote and provide for community involvement in and use of the public schools.

On motion of Senator Stallings, the Committee Substitute bill is re-referred to the **Appropriations Committee.**

S. B. 285, Committee Substitute No. 2 for S. B. 285, a bill to prohibit discharging or carrying loaded firearms on public highways.

Senator Somers offers Amendment No. 1.

Senator Harris moves that the Committee Substitute bill No. 2 and pending Amendment No. 1 do lie upon the table, which motion fails to prevail.

On motion of Senator McDuffie, the Committee Substitute bill and pending Amendment No. 1 are re-referred to the **Judiciary I Committee.**

S. B. 390, Committee Substitute for S. B. 390, a bill to increase the civil jurisdictional amount for magistrates and district courts.

On motion of Senator Marion, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Friday, May 20.

S. B. 424, a bill to redefine the practice of optometry consistent with modern advances in science and optometry.

On motion of Senator Hardison, consideration of the bill is postponed until Tuesday, May 24.

S. B. 473, Committee Substitute for S. B. 473, a bill to amend the Constitution and the General Statutes of North Carolina changing the method of selection of members of the State Board of Education and making the office of Superintendent of Public Instruction appointive, upon second and third reading.

On motion of Senator Renfrow, the Committee Substitute bill is placed on the Calendar for Thursday, May 19, as Special Order of Business No. 1.

On motion of Senator Renfrow, the Committee Substitute bill is removed from the Calendar for May 19 and re-referred to the **Appropriations Committee.**

S. B. 514, a bill to amend the Constitution of North Carolina to facilitate speedy trials, upon second and third reading.

On motion of Senator Smith of Guilford, Committee Amendment No. 1 is adopted.

On motion of Senator Britt, the bill, as amended, is re-referred the **Appropriations Committee on Education.**

S. B. 522, a bill to amend the North Carolina Securities Act, Chapter 78A of the General Statutes, with respect to G. S. 78A-17(9), G. S. 78A-46(d) and G. S. 78A-48(a) thereof.

May 18, 1977

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 549, Committee Substitute for **S. B. 549,** a bill to conform the State income tax treatment of alimony to that provided under the Internal Revenue Code.

On motion of Senator Rauch, the Committee Substitute bill is adopted, and on his further motion is re-referred to the **Ways and Means Committee.**

S. B. 617, a bill to amend G. S. 95-138 concerning civil penalties.

On motion of Senator Britt, the bill is recommitted to the **Judiciary II Committee.**

S. B. 635, a bill to set the speed limit for buses transporting children with special needs.

On motion of Senator Garrison, the bill is re-referred to the **Appropriations Committee.**

H. B. 205, a bill to provide for annual testing in the public schools in order to assess the effectiveness of the educational process.

On motion of Senator Stallings, the bill is re-referred to the **Appropriations Committee.**

H. B. 431, a bill to authorize counties and cities to regulate the possession of dangerous animals.

The bill passes its second and third readings and is ordered enrolled.

H. B. 536, Committee Substitute for **H. B. 536,** a bill to allow any prospective juror sixty-five years of age or older to be exempt from jury service upon written application to the clerk of court.

The Committee Substitute bill fails to pass its second reading.

H. B. 615, a bill to prohibit the hunting of bear in Hyde County, upon second reading.

The bill passes its second reading by roll-call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Garrison, Gray, Hardison, Harrington, Harris, Jordan, Kincaid, Lake, Marion, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 40.

The bill remains on the Calendar upon third reading.

H. B. 616, a bill to make certain technical changes in Chapter 163 of the General Statutes relating to elections to conform with prior changes in the election laws.

The bill passes its second and third readings and is ordered enrolled.

H. B. 732, a bill to amend G. S. 97-38 of the Workmen's Compensation Act concerning proximate cause.

The bill passes its second and third readings and is ordered enrolled.

May 18, 1977

H. B. 977, a bill to amend G. S. 119-49 relating to liquefied petroleum gases. The bill passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 911, an act to amend the Local Government Finance Act to provide that bonds or notes issued thereunder are securities eligible for investment.

H. B. 912, an act to amend G. S. 159-161 to extend the time within which general obligation bond anticipation notes shall be payable.

H. B. 913, an act to amend G. S. 142-1 to permit bonds or certificates of debt of the State to be paid at banks or trust companies either within or without the State and to authorize payment of fees for services rendered by such banks or trust companies.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:30 P.M.

NINETY-SECOND DAY

SENATE CHAMBER,
Thursday, May 19, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Reverend Paul Ausley, former Minister of First Presbyterian Church, Kings Mountain.

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator White for tomorrow, May 20. A leave of absence granted previously to Senator Hill is noted.

S. B. 657, Committee Substitute for **S. B. 657,** a bill to authorize the qualified voters of the Town of Highlands, Macon County, to determine whether alcoholic beverage control stores shall be operated in the Town of Highlands.

On motion of Senator Winters, seconded by Senator Palmer, the Committee Substitute bill is recalled from the House of Representatives for further consideration.

S. B. 724, a bill amending Chapter 6 of the General Statutes to provide for the recovery of attorney fees and other costs in civil actions which are

determined to be frivolous, taken in bad faith or without substantial justification.

On motion of Senator Allsbrook, the rules are suspended and the bill is taken from the **Judiciary I Committee** and re-referred to the **Judiciary II Committee.**

H. B. 1079, a bill to increase the annual license renewal fee for podiatrists from a fee not to exceed fifty dollars to a fee not to exceed one hundred fifty dollars.

On motion of Senator Harris, the rules are suspended and the bill is taken from the **Human Resources Committee** and re-referred to the **Finance Committee.**

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is recevied from the House of Representatives:

S. J. R. 499

HOUSE OF REPRESENTATIVES
May 19, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that pursuant to **S. J. R. 499,** a joint resolution providing for a joint session or sessions of the Senate and House of Representatives to act on confirmation of appointments made by the Governor to membership on the North Carolina Utilities Commission, authorizing the President of the Senate and the Speaker of the House of Representatives to fix the date and hour for the Joint Session, the hour having arrived, the House of Representatives stands ready to receive the Senate in Joint Session at two o'clock on Thursday, May 19, 1977.

Respectfully,
GRACE A. COLLINS
Principal Clerk

On motion of Senator Henley, in accordance with the announcement of the President of the Senate fixing the time and place for a Joint Session of the House of Representatives and Senate for the purpose of confirming the appointments of the Governor to the Utilities Commission, the Senate recesses to repair to the Hall of the House of Representatives there to sit in Joint Session; and on his further motion upon dissolution of the Joint Session to return to the Senate Chamber for the further consideration of business.

JOINT SESSION

The Senate is received by the members of the House of Representatives standing, and the Joint Session is called to order by Lieutenant Governor James C. Green.

May 19, 1977

The President of the Senate orders the Senate Reading Clerk to read the following messages from the Governor:

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR

March 30, 1977

The Honorable James C. Green
President of the Senate
State Legislative Building
Raleigh, North Carolina 27611

Dear Jimmy:

Pursuant to General Statute Chapter 62, I am submitting my appointments to the State Utilities Commission for confirmation by the General Assembly in joint session.

To fill the unexpired term created by the resignation of W. Scott Harvey and to fill the vacancy in that position on July 1, 1977 for a term to expire on July 1, 1985, I am submitting the name of

Leigh Hugh Hammond
Raleigh, North Carolina

To fill the unexpired term created by the resignation of George W. Clark for a term to expire July 1, 1981, I am submitting the name of

Robert K. Kiger
Raleigh, North Carolina

Sincerely,
S/ JAMES B. HUNT, JR.

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR

April 15, 1977

The Honorable James C. Green
President of the Senate
State Legislative Building
Raleigh, North Carolina 27611

Dear Jimmy:

Pursuant to General Statute Chapter 62, I am submitting my appointment to the State Utilities Commission for confirmation by the General Assembly in joint session.

To fill the unexpired term created by the resignation of J. Ward Purrington and to fill the vacancy in that position on July 1, 1977 for a term to expire on July 1, 1985, I am submitting the name of

Mrs. Lindsay Tate
520 Marlowe Road
Raleigh, North Carolina

Sincerely,
S/ JAMES B. HUNT, JR.

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR

May 6, 1977

The Honorable James C. Green
President of the Senate
State Legislative Building
Raleigh, North Carolina 27611

Dear Jimmy:

My letter to you of April 29, 1977, submitting two appointments to the State Utilities Commission contained an error. I intended to appoint Senator John Wesley Winters, Sr. for a term expiring July 1, 1983. The letter should have read as follows:

April 29, 1977

Dear Jimmy:

Pursuant to G. S. 62-10, I am submitting my appointments to the State Utilities Commission for confirmation by the General Assembly in joint session.

To fill the expiring term of Barbara Anne Simpson on July 1, 1977, I am submitting the name of

Dr. Robert Fishbach
4509 Mullens Ford Road
Charlotte, North Carolina

whose term shall expire on July 1, 1985.

To fill the expiring term of William Lester Teal, Jr. on July 1, 1977, I am submitting the name of

Senator John Wesley Winters Sr.
8001 Caddy Road
Raleigh, North Carolina

whose term shall expire on July 1, 1983.

May 19, 1977

Your assistance in this matter will be greatly appreciated. Please accept my apologies for this error.

Sincerely,
S/ JAMES B. HUNT, JR.

Senator Webster, for the Senate Public Utilities and Energy Committee, presents the following report:

Mr. President:

In compliance with the provisions of Chapter 243 of the 1975 Session Laws that nominees to fill positions on the Utilities Commission shall be subject to confirmation by the General Assembly in Joint Session, Governor Hunt has submitted for confirmation by the General Assembly the following names:

Dr. Robert Fischbach (to fill the expiring term of Barbara Ann Simpson on July 1, 1977 to July 1, 1985)

Dr. Leigh Hugh Hammond (to fill the unexpired portion of the term expiring July 1, 1977 created by the resignation of W. Scott Harvey and to fill the vacancy in that position for a full term beginning July 1, 1977 and expiring July 1, 1985)

Mr. Robert K. Koger (to fill the unexpired portion of the term expiring July 1, 1981 created by the resignation of George W. Clark)

Ms. Sarah Lindsay Tate (to fill the unexpired term created by resignation of J. Ward Purrington and to fill the vacancy in that position on July 1, 1977 for a term to expire on July 1, 1985)

The Honorable John Wesley Winters (to fill the expiring term of William Lester Teal, Jr., of July 1, 1977 to July 1, 1983).

Pursuant to S. J. R. 499 the Senate Committee on Public Utilities has considered the nominees and makes the following recommendations to this Joint Session:

That the nomination of Dr. Robert Fischbach to fill the expiring term of Barbara Ann Simpson be confirmed.

That the nomination of Dr. Leigh Hugh Hammond to fill the unexpired portion of the term created by the resignation of W. Scott Harvey and to fill the vacancy in that position for a full term beginning July 1, 1977 be confirmed.

That the nomination of Robert K. Koger to fill the unexpired portion of the term created by the resignation of George W. Clark be confirmed.

That the nomination of Ms. Sarah Lindsay Tate to fill the unexpired term created by the resignation of J. Ward Purrington and to fill the vacancy in that position for a full term beginning July 1, 1977 be confirmed.

That the nomination of Senator John Wesley Winters to fill the expiring term of William Lester Teal be confirmed.

Respectfully submitted.

WESLEY D. WEBSTER
Chairman for the Senate

Representative Campbell for the House of Representatives Public Utilities Committee, presents the following report:

Mr. Speaker:

In compliance with the provisions of Chapter 243 of the 1975 Session Laws that nominees to fill positions on the Utilities Commission shall be subject to confirmation by the General Assembly in Joint Session, Governor Hunt has submitted for confirmation by the General Assembly the following names:

Dr. Robert Fischbach (to fill the expiring term of Barbara Ann Simpson on July 1, 1977 to July 1, 1985)

Dr. Leigh Hugh Hammond (to fill the unexpired portion of the term expiring July 1, 1977 created by the resignation of W. Scott Harvey and to fill the vacancy in that position for a full term beginning July 1, 1977 and expiring July 1, 1985)

Mr. Robert K. Koger (to fill the unexpired portion of the term expiring July 1, 1981 created by the resignation of George W. Clark)

Ms. Sarah Lindsay Tate (to fill the unexpired term created by resignation of J. Ward Purrington and to fill the vacancy in that position on July 1, 1977 for a term to expire on July 1, 1985)

The Honorable John Wesley Winters (to fill the expiring term of William Lester Teal, Jr. of July 1, 1977 to July 1, 1983).

Pursuant to S. J. R. 499 the House Committee on Public Utilities has considered the nominees and makes the following recommendations to this Joint Session:

That the nomination of Dr. Robert Fischbach to fill the expiring term of Barbara Ann Simpson be confirmed.

That the nomination of Dr. Leigh Hugh Hammond to fill the unexpired portion of the term created by the resignation of W. Scott Harvey and to fill the vacancy in that position for a full term beginning July 1, 1977 be confirmed.

That the nomination of Robert K. Koger to fill the unexpired portion of the term created by the resignation of George W. Clark be confirmed.

That the nomination of Ms. Sarah Lindsay Tate to fill the unexpired term created by the resignation of J. Ward Purrington and to fill the vacancy in that position for a full term beginning July 1, 1977 be confirmed.

May 19, 1977

That the nomination of Senator John Wesley Winters to fill the expiring term of William Lester Teal be confirmed.

Respectfully submitted.

A. HARTWELL CAMPBELL
Chairman for the House

The President of the Senate states the procedure for taking the vote as outlined in S. J. R. 499, it being that the roll of the Senate will be called and thereafter the roll of the House of Representatives will be called after which the results of the vote will be announced.

Representative Campbell, seconded by Senator Webster, moves that the appointment of Dr. Robert Fischbach to the North Carolina Utilities Commission be confirmed. The motion prevails by the following roll-call votes:

Senate, ayes 48, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, and Wynne — 48.

House of Representatives, ayes 115, noes 1, as follows:

Those voting in the affirmative are: Representatives Adams, Auman, Baker, Barbee, Barker, Beard, Bell, Bissell, Bright, Brubaker, Bumgardner, Bundy, Campbell, Chapin, Chase, Church, Clarke, Collins, Cook, Creech, Cullipher, Davenport, DeBruhl, DeRamus, Diamont, Duncan, Easterling, Economos, Edwards, Ellis, Enloe, Erwin, Ezzell, Falls, Farmer, Foster, Frye, Fulcher, Gamble, Gardner, Gentry, Gilmore, Grady, Greenwood, Gregory, Griffin, Hairston, Hall, Harris of Lee, Harris of Alamance, Helms, Hightower, Holmes, Holroyd, Holt of Alamance, Holt of Cumberland, Hunt, Hunter, Hurst, Huskins, Hux, James, Jernigan, Johnson of Wake, Johnson of Robeson, Jones, Kaplan, Lambeth, Lilley, Locklear, Lutz, Martin, Mason, McMillan, Messer, Michaux, Miller, Morgan, Morris, Nash, Nesbitt, Nye, Parnell, Pickler, Plyler, Poovey, Quinn, Ramsey, Ray, Revelle, Rhodes, Rountree, Sawyer, Schwartz, Setzer, Seymour, Short, Smith of Rowan, Smith of Forsyth, Spoon, Tally, Taylor, Tennille, Thomas, Tison, Tyson, Varner, Ward, Watkins, Webb, White of Caldwell, White of Dare, Wiseman, Woodard, and Wright — 115.

Voting in the negative is: Representative Dorsey — 1.

Having received a majority of votes of both Houses, the appointment of Dr. Robert Fischbach to the North Carolina Utilities Commission is confirmed.

Representative Campbell, seconded by Senator Webster moves that the appointment of Leigh Hugh Hammond to the North Carolina Utilities Commission be confirmed. The motion prevails by the following roll-call votes:

Senate, ayes 48, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, and Wynne — 48.

House of Representatives, ayes 116, noes 0, as follows:

Those voting in the affirmative are: Representatives Adams, Auman, Baker, Barbee, Barker, Beard, Bell, Bissell, Bright, Brubaker, Bumgardner, Bundy, Campbell, Chapin, Chase, Church, Clarke, Collins, Cook, Creech, Cullipher, Davenport, DeBruhl, DeRamus, Diamont, Dorsey, Duncan, Easterling, Economos, Edwards, Ellis, Enloe, Erwin, Ezzell, Falls, Farmer, Foster, Frye, Fulcher, Gamble, Gardner, Gentry, Gilmore, Grady, Greenwood, Gregory, Griffin, Hairston, Hall, Harris of Lee, Harris of Alamance, Helms, Hightower, Holmes, Holroyd, Holt of Alamance, Holt of Cumberland, Hunt, Hunter, Hurst, Huskins, Hux, James, Jernigan, Johnson of Wake, Johnson of Robeson, Jones, Kaplan, Lambeth, Lilley, Locklear, Lutz, Martin, Mason, McMillan, Messer, Michaux, Miller, Morgan, Morris, Nash, Nesbitt, Nye, Parnell, Pickler, Plyler, Poovey, Quinn, Ramsey, Ray, Revelle, Rhodes, Rountree, Sawyer, Schwartz, Setzer, Seymour, Short, Smith of Rowan, Smith of Forsyth, Spoon, Tally, Taylor, Tennille, Thomas, Tison, Tyson, Varner, Ward, Watkins, Webb, White of Caldwell, White of Dare, Wiseman, Woodard, and Wright — 116.

Having received a majority of votes of both Houses, the appointment of Leigh Hugh Hammond to the North Carolina Utilities Commission is confirmed.

Representative Campbell, seconded by Senator Webster moves that the appointment of Robert K. Koger to the North Carolina Utilities Commission be confirmed. The motion prevails by the following roll-call votes:

Senate, ayes 48, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, and Wynne — 48.

House of Representatives, ayes 114, noes 0, as follows:

Those voting in the affirmative are: Representatives Adams, Auman, Baker, Barbee, Barker, Beard, Bell, Bissell, Bright, Brubaker, Bumgardner, Bundy, Campbell, Chapin, Chase, Church, Clarke, Collins, Cook, Creech, Cullipher, Davenport, DeBruhl, DeRamus, Diamont, Dorsey, Duncan, Easterling, Economos, Edwards, Ellis, Enloe, Erwin, Ezzell, Falls, Farmer, Foster, Frye, Fulcher, Gamble, Gardner, Gentry, Gilmore, Grady, Greenwood,

Gregory, Griffin, Hairston, Hall, Harris of Lee, Harris of Alamance, Helms, Hightower, Holmes, Holroyd, Holt of Alamance, Holt of Cumberland, Hunt, Hunter, Hurst, Huskins, Hux, James, Jernigan, Johnson of Wake, Johnson of Robeson, Jones, Kaplan, Lambeth, Lilley, Locklear, Lutz, Martin, Mason, Messer, Michaux, Miller, Morgan, Morris, Nash, Nesbitt, Nye, Parnell, Pickler, Plyler, Poovey, Quinn, Ramsey, Ray, Revelle, Rhodes, Rountree, Sawyer, Schwartz, Setzer, Seymour, Short, Smith of Rowan, Spoon, Tally, Taylor, Tennille, Thomas, Tison, Tyson, Varner, Ward, Watkins, Webb, White of Caldwell, White of Dare, Wiseman, Woodard, and Wright — 114.

Having received a majority of votes of both Houses, the appointment of Leigh Hugh Hammond to the North Carolina Utilities Commission is confirmed.

Representative Campbell, seconded by Senator Webster, moves that the appointment of Mrs. Sarah Lindsey Tate to the North Carolina Utilities Commission be confirmed. The motion prevails by the following roll-call votes:

Senate, ayes 48, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, and Wynne — 48.

House of Representatives, ayes 114, noes 1, as follows:

Those voting in the affirmative are: Representatives Adams, Auman, Baker, Barbee, Barker, Beard, Bell, Bissell, Bright, Brubaker, Bumgardner, Bundy, Campbell, Chapin, Chase, Church, Clarke, Collins, Cook, Creech, Cullipher, Davenport, DeBruhl, DeRamus, Diamont, Duncan, Easterling, Economos, Edwards, Ellis, Enloe, Erwin, Ezzell, Falls, Farmer, Foster, Frye, Fulcher, Gamble, Gardner, Gentry, Gilmore, Grady, Greenwood, Gregory, Griffin, Hairston, Hall, Harris of Lee, Harris of Alamance, Helms, Hightower, Holmes, Holroyd, Holt of Alamance, Holt of Cumberland, Hunt, Hunter, Hurst, Huskins, Hux, James, Jernigan, Johnson of Wake, Johnson of Robeson, Jones, Kaplan, Lambeth, Lilley, Locklear, Lutz, Martin, Mason, Messer, Michaux, Miller, Morgan, Morris, Nash, Nesbitt, Nye, Parnell, Pickler, Plyler, Poovey, Quinn, Ramsey, Ray, Revelle, Rhodes, Rountree, Sawyer, Schwartz, Setzer, Seymour, Short, Smith of Rowan, Smith of Forsyth, Spoon, Tally, Taylor, Tennille, Thomas, Tison, Tyson, Varner, Ward, Watkins, Webb, White of Caldwell, White of Dare, Wiseman, Woodard, and Wright — 114.

Voting in the negative is: Representative Dorsey — 1.

Having received a majority of votes of both Houses, the appointment of Mrs. Sarah Lindsey Tate to the North Carolina Utilities Commission is confirmed.

Representative Campbell, seconded by Senator Webster, moves that the appointment of Senator John Wesley Winters, Sr. to the North Carolina

Utilities Commission be confirmed. The motion prevails by the following roll-call votes:

Senate, ayes 48, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, and Wynne — 48.

House of Representatives, ayes 116, noes 0, as follows:

Those voting in the affirmative are: Representatives Adams, Auman, Baker, Barbee, Barker, Beard, Bell, Bissell, Bright, Brubaker, Bumgardner, Bundy, Campbell, Chapin, Chase, Church, Clarke, Collins, Cook, Creech, Cullipher, Davenport, DeBruhl, DeRamus, Diamont, Dorsey, Duncan, Easterling, Economos, Edwards, Ellis, Enloe, Erwin, Ezzell, Falls, Farmer, Foster, Frye, Fulcher, Gamble, Gardner, Gentry, Gilmore, Grady, Greenwood, Gregory, Griffin, Hairston, Hall, Harris of Lee, Harris of Alamance, Helms, Hightower, Holmes, Holroyd, Holt of Alamance, Holt of Cumberland, Hunt, Hunter, Hurst, Huskins, Hux, James, Jernigan, Johnson of Wake, Johnson of Robeson, Jones, Kaplan, Lambeth, Lilley, Locklear, Lutz, Martin, Mason, McMillan, Messer, Michaux, Miller, Morgan, Morris, Nash, Nesbitt, Nye, Parnell, Pickler, Plyler, Poovey, Quinn, Ramsey, Ray, Revelle, Rhodes, Rountree, Sawyer, Schwartz, Setzer, Seymour, Short, Smith of Rowan, Smith of Forsyth, Spoon, Tally, Taylor, Tennille, Thomas, Tison, Tyson, Varner, Ward, Watkins, Webb, White of Caldwell, White of Dare, Wiseman, Woodard, and Wright — 116.

Having received a majority of votes of both Houses, the appointment of Senator John Wesley Winters, Sr. to the North Carolina Utilities Commission is confirmed.

It is ordered by the President of the Senate that the Governor be notified of the action of the General Assembly sitting in Joint Session upon the confirmation of these appointments to the North Carolina Utilities Commission.

On motion of Senator Henley, the Joint Session is dissolved and the Senate returns to its Chamber.

The Senate resumes consideration of its regular business.

CONFERENCE REPORT

H. B. 549, Committee Substitute for H. B. 549

Senator Walker, for the Conferees appointed to consider the differences arising between the Senate and House of Representatives upon **H. B. 549**, Committee Substitute for **H. B. 549**, a bill to amend G. S. 18A-16 to provide for the selection of the members of Martin County ABC Board by the Board of County Commissioners, submits the following report:

May 19, 1977

To the President of the Senate and the Speaker of the House of Representatives:

We, your conferees, appointed to resolve the differnces arising between the Senate and the House of Representatives on **H. B. 549**, a bill to provide for the selection of the members of Martin County ABC Board by the Board of County Commissioners, wish to report as follows:

The Conference Committee recommends that the Senate recede from its Amendment No. 1 and Amendment No. 2.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 19th day of May, 1977.

RUSSELL WALKER
W. CRAIG LAWING
VERNON E. WHITE
Confrees on the part of the Senate

T. J. BAKER
ROBERT L. FARMER
WILDA HURST
Conferees on the part of the House of Representatives

On motion of Senator Walker, the Conference Report is adopted and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hardison for the **Appropriations Committee:**

S. B. 473, Committee Substitute for **S. B. 473**, a bill to amend the Constitution and the General Statutes of North Carolina changing the method of selection of members of the State Board of Education and making the office of Superintendent of Public Instruction appointive, with a favorable report, as amended.

On motion of Senator Renfrow, the Committee Substitute bill is placed on the Calendar for Tuesday, May 24 as Special Order of Business No. I.

S. B. 514, a bill to amend the Constitution of North Carolina to facilitate speedy trials, with a favorable report, as amended.

By Senator Lawing for the **Banking Committee:**

S. B. 558, a bill relating to the charges or interest which may be charged with respect to open-end accounts, with a favorable report.

S. B. 610, a bill to amend G. S. 53-117 concerning the appointment by the Commissioner of Banks of State bank examiners, assistant State bank examiners, clerks and stenographers, with a favorable report.

H. B. 301, a bill to amend the North Carolina Consumer Finance Act, with an unfavorable report.

By Senator Stallings for the **Education Committee:**

S. B. 312, a bill to provide for the employment of instructional specialists in the public schools through an allocation of funds on a per pupil basis, with a favorable report.

On motion of Sentaor Stallings, the bill is re-referred to the **Appropriations Committee.**

By Senator Rauch for the **Finance Committee:**

S. B. 487, a bill to amend G. S. 95-108 to authorize deposit of fees collected from elevator, escalator, etc., inspection to be paid into the General Fund of the State treasury, with a favorable report.

S. B. 489, a bill to amend G. S. 95-69.12 to provide that fees collected for the inspection of boilers and pressure vessels shall be paid into the General Fund of the State treasury subject to appropriation by the General Assembly and not restricted to covering the operating expenses of the boiler and pressure vessel inspections, with a favorable report.

S. B. 642, a bill to amend Article 4 of the Revenue Act relative to income tax to provide a credit for ad valorem tax paid on manufacturers' inventory, with a favorable report, as amended.

On motion of Senator Rauch, the bill is re-referred to the **Ways and Means Committee.**

By Senator Harris for the **Human Resources Committee:**

S. B. 471, a bill to establish a Governor's Council on Physical Fitness and Health, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Harris, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S. B. 527, a bill to amend the effective date of Chapter 123 of the Session Laws of 1975 relating to payments from the State fund for medical assistance, with a favorable report.

S. B. 566, a bill to establish a State Council for the Hearing Impaired and Community Services to the Hearing Impaired, with a favorable report.

On motion of Senator Harris, the bill is re-referred to the **Appropriations Committee.**

S. B. 675, a bill amending G. S. 67-3 concerning the death of human beings caused by dogs, with a favorable report, as amended.

H. B. 1047, a bill to increase the identification requirements of practitioners licensed by law to administer drugs, with a favorable report.

By Senator Allsbrook for the **Judiciary I Committee:**

H. B. 97, a bill to require that a female applicant for a marriage license receive a rubella immunity test, with a favorable report, as amended.

By Senator Britt for the **Judiciary II Committee:**

S. B. 341, a bill to define the practice of chiropractic, and guarantee freedom of choice to patients, and to specify the areas of expertise of chiropractors, with a favorable report, as amended.

H. B. 731, a bill to amend G. S. 97-2(15) of the Workmen's Compensation Act concerning the definition of widower, with a favorable report.

H. B. 997, a bill to amend Section 10-8 of the General Statutes to increase notary fees, with a favorable report.

By Senator Soles for the **Local Government and Regional Affairs Committee:**

H. B. 700, a bill to incorporate the Town of Rutherford College in Burke County, North Carolina, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Soles, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

By Senator Childers for the **Manufacturing, Labor and Commerce Committee:**

S. B. 417, a bill to allow workmen's compensation payments in certain cases pending appeal, with a favorable report, as amended.

S. B. 419, a bill to amend G. S. 97-85 of the Workmen's Compensation Act concerning review of award, with a favorable report.

S. B. 420, a bill to amend G. S. 97-80 of the Workmen's Compensation Act concerning the taxing of costs, with a favorable report.

S. B. 421, a bill to amend G. S. 97-40.1 of the Workmen's Compensation Act concerning the Second Injury Fund, with a favorable report, as amended.

S. B. 422, a bill to amend G. S. 97-83 of the Workmen's Compensation Act concerning Industrial Commission hearings, with a favorable report, as amended.

On motion of Senator Childers, the bill is re-referred to the **Appropriations Committee.**

S. B. 486, a bill to increase public sector representation on the Mine Safety and Health Advisory Council, with a favorable report.

By Senator Speed for the **Natural and Economic Resources Committee:**

S. B. 480, a bill to increase the amount of land the Department of Natural and Economic Resources may acquire in fee simple along the New River, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Speed, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

By Senator Whichard for the **State Government Committee:**

S. B. 310, a bill to establish the North Carolina Internship Commission of the Department of Administration, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Whichard, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S. B. 378, a bill to transfer the Governor's Advocacy Council for Children and Youth, and the Governor's Council on Employment of the Handicapped from the Department of Human Resources to the Department of Administration, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Whichard, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S. B. 472, Committee Substitute for S. B. 472, a bill to develop a plan and policy of wildlife management for all lands suitable for this purpose owned by the State of North Carolina, with a favorable report.

S. B. 591, a bill to reorganize the Marine Fisheries Commission and the Commercial and Sports Fisheries Committee, with a favorable report.

On motion of Senator Whichard, the bill is re-referred to the **Appropriations Committee.**

S. B. 688, a bill to make the Lieutenant Governor Chairman of the State Board of Education, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Totherow:

S. B. 726, a bill to amend Chapter 57 and Chapter 58 of the General Statutes of North Carolina relating to requiring that notice of cancellation be given individual insureds under group and certain other policies.

Referred to **Insurance Committee.**

By Senator Totherow:

S. B. 727, a bill to amend Article 26 of Chapter 116 relating to a self-insurance program for health care liability claims.
Referred to **Insurance Committee.**

By Senator Davis:

S. B. 728, a bill to amend the solicitation of Charitable Funds Act.
Referred to **Judiciary II Committee.**

By Senator Smith of New Hanover:

S. B. 729, a bill to appropriate funds to the Department of Natural and Economic Resources to rebuild berms at Wrightsville Beach in New Hanover County.
Referred to **Appropriations Committee.**

By Senator Renfrow:

S. B. 730, a bill to extend some or all of the provisions of the Local Government Budget and Fiscal Control Act to nonprofit corporations receiving moneys from counties and cities.
Referred to **Local Government and Regional Affairs Committee.**

By Senators Sebo, Gray, and Smith of Guilford:

S. B. 731, a bill to amend G. S. 108-45, relating to the confidentiality of records of the Department of Human Resources and county social service departments.
Referred to **Human Resources Committee.**

By Senators Henley, Raynor, Lawing, Alexander, McDuffie, Mathis:

S. B. 732, a bill to provide for the construction of State government office buildings in the cities of Charlotte and Fayetteville.
Referred to **Appropriations Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 66, Committee Substitute for H. B. 66, to extend warranties express or implied to third parties injured by breach thereof.
Referred to **Judiciary I Committee.**

H. B. 883, Committee Substitute for H. B. 883, a bill to permit professional boxing in Cumberland County subsequent to the creation of a boxing commission for Cumberland County.
Referred to **Judiciary II Committee.**

H. B. 1035, Committee Substitute for **H. B. 1035,** a bill to provide for the incorporation and operation of stock-owned savings and loan associations in North Carolina.

Referred to **Banking Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 154, Committee Substitute for **S. B. 154,** a bill to rewrite the law regarding wrongful death in order to resolve inconsistency and to provide for a logical distribution of a recovery.

Senator Smith of New Hanover offers Amendment No. 1 which is adopted.

On motion of Senator Allsbrook, the Committee Substitute bill, as amended, is recommitted to the **Judiciary I Committee.**

S. B. 177, a bill to incorporate the Town of Brinson Beach in Pamlico County, upon second reading.

The bill passes its second reading by roll-call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Whichard, White, Winters, and Wynne — 43.

The bill remains on the Calendar upon third reading.

S. B. 192, Committee Substitute for **S. B. 192,** a bill to prohibit the public display of sexually explicit material in establishments frequented by minors.

The Committee Substitute bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 310, Committee Substitute for **S. B. 310,** a bill to establish the North Carolina Internship Council of the Department of Administration.

On motion of Senator Whichard, the Committee Substitute bill is adopted, and on his further motion is re-referred to the **Appropriations Committee.**

S. B. 378, Committee Substitute for **S. B. 378,** a bill to transfer the Governor's Council on Employment of the Handicapped and the Governor's Advocacy Council on Children and Youth from the Department of Human Resources to the Department of Administration.

On motion of Senator Whichard, the Committee Substitute bill is adopted, and on his further motion is re-referred to the **Appropriations Committee.**

S. B. 468, Committee Substitute for **S. B. 468,** a bill to amend Chapter 96 of the General Statutes known as the Employment Security Law to conform with federal requirements, to make technical improvements and corrections, and to remove outdated and inconsistent provisions from the law.

On motion of Senator Childers, Committee Amendments No. 1, No. 2, and No. 3 are adopted.

On motion of Senator Childers, consideration of the Committee Substitute bill, as amended, is postponed until Wednesday, May 25, with a working engrossed copy ordered.

On motion of Senator Allsbrook, the Committee Substitute bill, as amended, is removed from the Calendar for Wednesday, May 25, and re-referred to the **Finance Committee.**

S. B. 471, Committee Substitute for **S. B. 471,** a bill to establish a Governor's Council on Physical Fitness and Health.

On motion of Senator Harris, the Committee Substitute bill is adopted, and on his further motion is re-referred to the **Appropriations Committee.**

S. B. 480, Committee Substitute for **S. B. 480,** a bill to increase the amount of land the Department of Natural and Economic Resources may acquire in fee simple along the New River.

On motion of Senator Speed, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Monday, May 23.

S. B. 530, a bill to raise the minimum term for imprisonment in the State Prison System from 30 to 180 days.

On motion of Senator Smith of Guilford, the Committee Amendment is adopted.

The bill, as amended, passes its second reading.

On objection of Senator Crawford to its third reading the bill, as amended is placed on the Calendar for Monday, May 23.

S. B. 532, Committee Substitute for **S. B. 532,** a bill to provide that the use of minors in sexually explicit materials shall constitute child abuse.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 543, a bill to amend G. S. 105-357(a) relating to the payment of ad valorem taxes, upon second reading.

On motion of Senator Rauch, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading by roll-call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 44.

The bill, as amended, remains on the Calendar upon third reading.

S. J. R. 652, a joint resolution directing the Legislative Research Commission to study the feasibility of establishing within North Carolina a bicycle registration or similar program to provide the citizens of the State with a

deterrent to bicycle theft, a means for determining ownership of bicycles, and identification of injured bicyclists.

On motion of Senator Henley, Committee Amendment No. 1 is adopted.

The joint resolution, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 686, a bill to amend G. S. 153A-334 and G. S. 160A-375 to provide an additional remedy for the enforcement of subdivision ordinances and to further protect the purchaser of land in an unapproved subdivision.

On motion of Senator Lawing, consideration of the bill is postponed until Wednesday, May 25.

S. B. 714, a bill to make Part 3 of Article 4A, Chapter 160A of the General Statutes, applicable to the City of Roanoke Rapids, subject to a vote of the people in Roanoke Rapids Township, upon second reading.

The bill passes its second reading by roll-call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Whichard, White, Winters, and Wynne — 43.

The bill remains on the Calendar upon third reading.

H. B. 615, a bill to prohibit the hunting of bear in Hyde County, upon third reading.

The bill passes its third reading by roll-call vote, ayes 35, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Lawing, Marion, Marvin, McDuffie, Palmer, Popkin, Rauch, Renfrow, Royall, Sebo, Sharpe, Smith of Guilford, Somers, Speed, Stallings, Swain, Totherow, Whichard, White, Winters, and Wynne — 35.

The bill is ordered enrolled.

H. B. 661, a bill to authorize and empower the Town Council of the Town of Southern Pines to construct and install, or contract for the construction and installation, of local improvements on its public streets and alleys, and to specially assess such portion of the costs thereof, exclusive of that incurred at street intersections, as it may determine against the property abutting upon such public street or alley so improved; and prescribing the procedure therefor, upon second reading.

The bill passes its second reading by roll-call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe,

Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Whichard, White, Winters, and Wynne — 43.

The bill remains on the Calendar upon third reading.

H. B. 700, Committee Substitute for **H. B. 700**, a bill to incorporate the Town of Rutherford College in Burke County, North Carolina.

On motion of Senator Soles, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Monday, May 23.

H. B. 762, a bill to authorize a levy of not more than one dollar per year upon vehicles resident in Caswell County, upon second reading.

The bill passes its second reading by roll-call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Whichard, White, Winters, and Wynne — 43.

The bill remains on the Calendar upon third reading.

H. B. 813, Committee Substitute for **H. B. 813**, a bill to permit the City of Charlotte and the incorporated cities and towns in Cumberland County to increase their license tax levy on motor vehicles, upon second reading.

On motion of Senator Soles, Committee Amendment No. 1 is adopted.

The Committee Substitute bill, as amended, passes its second reading by roll-call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Walker, Webster, Whichard, White, Winters, and Wynne — 42.

The Committee Substitute bill, as amended, remains on the Calendar upon third reading.

H. B. 1030, a bill to authorize the Board of Commissioners of Granville County to pay costs incurred in renovating the old nursing home of Granville County and to validate payment already made.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1105, a bill to confirm certain portions of the corporate limits and to ratify actions of the Board of Aldermen of the Town of Black Mountain, upon second reading.

The bill passes its second reading by roll-call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe,

Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Whichard, White, Winters, and Wynne — 43.

The bill remains on the Calendar upon third reading.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 5, Committee Substitute for **H. B. 5,** an act to establish procedures for sentencing in capital cases and to fix the punishment for murder.

H. B. 431, an act to authorize counties and cities to regulate the possession of dangerous animals.

H. B. 616, an act to make certain technical changes in Chapter 163 of the General Statutes relating to elections to conform with prior changes in the election laws.

H. B. 732, an act to amend G. S. 97-38 of the Workmen's Compensation Act concerning proximate cause.

H. B. 977, an act to amend G. S. 119-49 relating to liquefied petroleum gases.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 10:00 A.M.

NINETY-THIRD DAY

SENATE CHAMBER,
Friday, May 20, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable John T. Henley, President Pro Tempore.

Prayer is offered by the Reverend Paul Ausley, former Minister of First Presbyterian Church, Kings Mountain.

Senator Royall for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President assumes the chair.

The President grants a leave of absence to Senator Whichard for today, who is speaking at the National League of Cities Regional Action Conference in his capacity as Vice-Chairman of the Southern Growth Policies

Board. Leaves of absence granted previously to Senators Hill and White are noted.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Royall for the **Ways and Means Committee:**

H. B. 1130, a bill to appropriate Title II Antirecession Funds pursuant to emergency order issued by the Governor, with a favorable report.

On motion of Senator Royall, the rules are suspended and the bill is placed on today's Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Soles:

S. B. 733, a bill to amend G. S. 90-64 to modify reciprocity requirements for pharmacists licensed by another state.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Crawford:

S. B. 734, a bill to amend G. S. 14-234 to prohibit State officials and employees from participating in any business transaction involving public funds with a former employer or business associate.

Referred to **Judiciary II Committee.**

By Senators Smith of New Hanover, Lawing, Alexander, Popkin, Henley, and Mathis:

S. B. 735, a bill to allow cities and counties with ABC stores to vote on the sale of mixed beverages in social establishments and restaurants seating at least 36.

Referred to **Alcoholic Beverage Control Committee.**

By Senators Raynor, Jordan, Henley, Smith of Guilford, Barnes, Popkin, Harris, Swain, Allsbrook, Combs, Renfrow, Sharpe, Soles, Alford, White, Garrison, Totherow, Lake, Britt, Hardison, Crawford, Somers, Walker, Sebo, Webster, Speed, Gray, Daniels, Smith of New Hanover, Mathis, Marion, Ballenger, Palmer, Scott, Marvin, Stallings, McDuffie, Lawing, Childers, Davis, and Rauch:

S. B. 736, a bill to provide medium custody prisoners for work on State roads and highways.

Referred to **Transportation Committee.**

By Senator Stallings:

S. B. 737, a bill to amend Article 14 of Chapter 113 of the General Statutes to provide support for needed improvements in the State's commercial and sports fisheries program.

Referred to **Natural and Economic Resources Committee.**

By Senator Stallings:

S. B. 738, a bill to appropriate funds to the Department of Natural and Economic Resources for improvement of the marine fisheries program.

Referred to **Appropriations Committee.**

By Senator Whichard:

S. B. 739, a bill to reorganize the Department of Natural and Economic Resources as the Department of Natural Resources and Community Development; to create a North Carolina Employment and Training Council in the Department of Natural Resources and Community Development; and to make necessary conforming changes.

Referred to **State Government Committee.**

By Senator Totherow:

S. B. 740, a bill creating the 1977-78 Legislative Study Commission on Insurance.

Referred to **Rules and Operation of the Senate Committee.**

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

Th following special messages are received from the House of Representatives:

H. B. 549, Committee Substitute for H. B. 549

HOUSE OF REPRESENTATIVES
May 20, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **H. B. 549, Committee Substitute for H. B. 549,** a bill to amend G. S. 18A-16 to provide for the selection of the members of Martin County ABC Board by the Board of County Commissioners, to the end that when a similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,
GRACE A. COLLINS
Principal Clerk

H. B. 1234, a bill to amend the Charter of the Town of Farmville, North Carolina.

May 20, 1977

On motion of Senator Allsbrook, the rules are suspended, and the bill is placed on the Calendar for today.

H. B. 1234

HOUSE OF REPRESENTATIVES
May 20, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body requesting the return of **H. B. 1234**, a bill to amend the Charter of the Town of Farmville, North Carolina, for further consideration by the House of Representatives.

Respectfully,
GRACE A. COLLINS
Principal Clerk

On motion of Senator Allsbrook the bill is removed from today's Calendar and returned to the House of Representatives for further consideration by special messenger.

S. B. 657, Committee Substitute for S. B. 657

HOUSE OF REPRESENTATIVES
May 20, 1977

Mr. President:

Pursuant to your request, we are returning **S. B. 657, Committee Substitute for S. B. 657**, a bill to authorize the qualified voters of the Town of Highlands, Macon County, to determine whether alcoholic beverage control stores shall be operated in the Town of Highlands, for your further consideration.

Respectfully,
GRACE A. COLLINS
Principal Clerk

On motion of Senator Palmer the Committee Substitute bill is recommitted to the **Alcoholic Beverage Control Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 703, a bill to authorize the Town of Mount Olive to exercise the power of eminent domain pursuant to Article 9, Chapter 136 of the General Statutes, for concurrence in the House amendment which is placed on the Calendar for Monday, May 23.

H. B. 1063, a bill to amend G. S. 130-9(e) to provide that State inspections of nursing homes shall be given without notice and that the giving of prior notice of inspection shall be a misdemeanor.

Referred to **Human Resources Committee.**

H. B. 1136, a bill to change the Charlotte-Mecklenburg Board of Education mileage allowance from ten cents per mile to fifteen cents per mile.

Referred to **Local Government and Regional Affairs Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

(Senator Henley presides over a portion of today's Session.)

S. B. 177, a bill to incorporate the Town of Brinson Beach in Pamlico County, upon third reading.

The bill passes its third reading by roll-call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Lake, Marion, Marvin, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, and Wynne — 40.

The bill is ordered sent to the House of Representatives.

S. B. 417, a bill to allow workmen's compensation payments in certain cases pending appeal.

On motion of Senator Childers, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 419, a bill to amend G. S. 97-85 of the Workmen's Compensation Act concerning review of award.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 420, a bill to amend G. S. 97-80 of the Workmen's Compensation Act concerning the taxing of costs, upon second reading.

The bill passes its second reading by roll-call vote, ayes 28, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Gray, Harrington, Harris, Henley, Jordan, Marvin, Mathis, McDuffie, Palmer, Popkin, Renfrow, Sebo, Sharpe, Smith of New Hanover, Speed, Swain, Totherow, and Winters — 28.

The bill, as amended, remains on the Calendar upon third reading.

S. B. 421, a bill to amend G. S. 97-40.1 of the Workmen's Compensation Act concerning the Second Injury Fund.

On motion of Senator Childers, Committee Amendment No. 1 is adopted.

Senator Totherow moves that the bill, as amended be recommitted to the **Manufacturing, Labor and Commerce Committee,** which motion fails to prevail.

May 20, 1977

The bill, as amended, passes its second reading.

Senator Childers objects to the third reading of the bill, as amended, and on his further motion, the bill, as amended, is placed on the Calendar for Wednesday, May 25.

S. B. 472, Committee Substitute for S. B. 472, a bill to develop a plan and policy of wildlife management for all lands suitable for this purpose owned by the State of North Carolina, as amended, upon third reading.

The Committee Substitute bill, as amended, passes its third reading and is ordered engrossed and sent to the House of Representatives.

S. B. 486, a bill to increase public sector representation on the Mine Safety and Health Advisory Council.

On motion of Senator Childers, the bill is re-referred to the **Appropriations Committee.**

S. B. 487, a bill to amend G. S. 95-108 to authorize deposit of fees collected from elevator, escalator, etc., inspection to be paid into the General Fund of the State treasury, upon second reading.

The bill passes its second reading by roll-call vote, ayes 32, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Gray, Harrington, Harris, Henley, Jordan, Lawing, Marvin, Mathis, McDuffie, Palmer, Popkin, Raynor, Renfrow, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Speed, Swain, Totherow, Webster, Winters, and Wynne — 32.

The bill remains on the Calendar upon third reading.

S. B. 489, a bill to amend G. S. 95-69.12 to provide that fees collected for the inspection of boilers and pressure vessels shall be paid into the General Fund of the State treasury subject to appropriation by the General Assembly and not restricted to covering the operating expenses of the boiler and pressure vessel inspections, upon second reading.

The bill passes its second reading by roll-call vote, ayes 32, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Harrington, Harris, Henley, Jordon, Lake, Lawing, Marvin, Mathis, McDuffie, Palmer, Popkin, Raynor, Renfrow, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Speed, Swain, Totherow, Webster, Winters, and Wynne — 32.

The bill remains on the Calendar upon third reading.

S. B. 514, a bill to amend the Constitution of North Carolina to facilitate speedy trials, as amended, upon second reading.

On motion of Senator Smith of Guilford, consideration of the bill, as amended, is postponed until Tuesday, May 24.

S. B. 527, a bill to amend the effective date of Chapter 123 of the Session Laws of 1975 relating to payments from the State fund for medical assistance.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 543, a bill to amend G. S. 105-357(a) relating to the payment of ad valorem taxes, as amended, upon third reading.

The bill, as amended, passes its third reading by roll-call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Jordan, Lake, Marion, Marvin, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Winters, and Wynne — 40.

The bill, as amended, is ordered engrossed and sent to the House of Representatives.

S. B. 558, a bill relating to the charges or interest which may be charged with respect to open-end accounts.

Senator Vickery offers Amendment No. 1.

Senator Popkin moves that the bill and pending Amendment No. 1 do lie upon the table, seconded by Senator Winters which motion fails to prevail.

On motion of Senator Totherow, the bill and pending Amendment No. 1 are recommitted to the **Banking Committee.**

S. B. 610, a bill to amend G. S. 53-117 concerning the appointment by the Commissioner of Banks of State bank examiners, assistant State bank examiners, clerks and stenographers.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 675, a bill amending G. S. 67-3 concerning the death of human beings caused by dogs.

On motion of Senator Henley, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 688, a bill to make the Lieutenant Governor Chairman of the State Board of Education.

The bill passes its second reading.

Senator Smith of New Hanover objects to the third reading of the bill.

Senator Childers moves that the rules be suspended to the end that the bill be considered upon third reading, seconded by Senator Harris, which motion fails to prevail.

The bill remains on the Calendar upon third reading.

S. B. 714, a bill to make Part 3 of Article 4A, Chapter 160A of the General Statutes, applicable to the City of Roanoke Rapids, subject to a vote of the people in Roanoke Rapids Township, upon third reading.

The bill passes its third reading by roll-call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Lake, Marion, Marvin, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, and Wynne — 40.

The bill is ordered sent to the House of Representatives.

H. B. 97, a bill to require that a female applicant for a marriage license receive a rubella immunity test.

On motion of Senator Allsbrook, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 661, a bill to authorize and empower the Town Council of the Town of Southern Pines to construct and install, or contract for the construction and installation, of local improvements on its public streets and alleys, and to specially assess such portion of the costs thereof, exclusive of that incurred at street intersections, as it may determine against the property abutting upon such public street or alley so improved; and prescribing the procedure therefor, upon third reading.

The bill passes its third reading by roll-call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Lake, Marion, Marvin, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, and Wynne — 40.

The bill is ordered enrolled.

H. B. 731, a bill to amend G. S. 97-2(15) of the Workmen's Compensation Act concerning the definition of widower.

The bill passes its second and third readings and is ordered enrolled.

H. B. 762, a bill to authorize a levy of not more than one dollar per year upon vehicles resident in Caswell County, upon third reading.

The bill passes its third reading by roll-call vote, ayes 40, noes 0 as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Lake, Marion, Marvin, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, and Wynne — 40.

The bill is ordered enrolled.

H. B. 813, Committee Substitute for **H. B. 813,** a bill to permit the City of Charlotte and the incorporated cities and towns in the Counties of Buncombe, Cumberland, Davidson, Johnston, Madison, McDowell, New Hanover, Pender, Transylvania, and Yancey, to increase their license tax levy on motor vehicles.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Lake, Marion, Marvin, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, and Wynne — 40.

The Committee Substitute bill, as amended, is ordered sent to the House of Representatives, for concurrence in the Senate amendment.

H. B. 997, a bill to amend Section 10-8 of the General Statutes to increase notary fees, upon second reading.

The bill passes its second reading by roll-call vote, ayes 29, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Harris, Henley, Jordan, Lake, Lawing, Marvin, Mathis, McDuffie, Palmer, Popkin, Raynor, Renfrow, Sebo, Smith of New Hanover, Speed, Swain, Totherow, Webster, and Wynne — 29.

The bill remains on the Calendar upon third reading.

H. B. 1047, a bill to increase the identification requirements of practitioners licensed by law to administer drugs.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1105, a bill to confirm certain portions of the corporate limits and to ratify actions of the Board of Aldermen of the Town of Black Mountain, upon third reading.

The bill passes its third reading by roll-call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Lake, Marion, Marvin, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, and Wynne — 40.

The bill is ordered enrolled.

H. B. 1130, a bill to appropriate Title II Antirecession Funds pursuant to emergency order issued by the Governor.

The bill passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 402, Committee Substitute for S. B. 402, an act to amend Article 5A of Chapter 122 of the General Statutes to provide advance notice of hearings and rehearings to the petitioner in involuntary commitments.

S. B. 498, an act to amend Chapter 757 of the Session Laws of 1953 relating to the Civil Service Commission of the City of Asheville.

S. B. 609, an act to abolish the Civil Service Commission in the City of Hendersonville, North Carolina.

H. B. 587, Senate Committee Substitute for H. B. 587, an act to authorize Cumberland County to provide legal assistance to indigent persons in civil cases.

H. B. 615, an act to prohibit the hunting of bear in Hyde County.

H. B. 1030, an act to authorize the Board of Commissioners of Granville County to pay costs incurred in renovating the old nursing home of Granville County and to validate payment already made.

On motion of Senator Britt, the Senate adjourns to meet Monday at 8:00 P.M.

NINETY-FOURTH DAY

SENATE CHAMBER,
Monday, May 23, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Reverend Talmadge S. Infinger, Pastor of Fellowship Baptist Church, Raleigh.

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of Friday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator McDuffie for tonight.

The President extends courtesies of the gallery to Mrs. Robert Morgan, wife of the Honorable Robert Morgan, United States Senator from North Carolina.

APPOINTMENT OF COMMITTEES

The President appoints the following Special Committee on Ways and Means: Senators Royall, Chairman; Rauch and Renfrow, Vice-Chairmen; Allsbrook, Ballenger, Childers, Crawford, Hardison, Harris, Lake, Lawing, Palmer, Soles, and Totherow.

The President recognizes the following pages serving in the Senate this week: Crystal Barnes, Autryville; Tim Bradley, Raleigh; Reggie Bullard, Raleigh; Mike Carter, Ahoskie; Beth Creech, LaGrange; Jon Dennison, Wrightsville Beach; Ray Douglas, Charlotte; Dianne Dugger, Boone; Virginia Anne Evans, Gatesville; Cyndy Gaffney, Charlotte; Mark Horne, Fayetteville; Cindy Johnson, Roseboro; Jack Lindsay, Fayetteville; Christy Maroules, Kinston; Paul Mengert, Greensboro; Tracey Mosely, Jacksonville; Donna Peerman, Chapel Hill; Barry Saunders, Sunbury; Harriet Scarborough, Raleigh; Frank Tolar, Fayetteville; Elliott Wallace, Charlotte; and Cathy White, Holly Ridge.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Combs for the **Wildlife Committee:**

H. B. 357, a bill to establish the hunting season for deer in Stokes County, with a favorable report.

H. B. 602, a bill authorizing the Board of Commissioners of Dare County to create a Dare County Game and Wildlife Commission, with a favorable report.

H. B. 803, Committee Substitute for **H. B. 803**, a bill to prevent the use of artificial light in areas inhabited by game in Scotland County, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senators Swain and Palmer:

S. B. 741, a bill to amend the Dam Safety Law of 1967, G. S. 143-215.23 et seq. to remove the exemption of dams costing less than five thousand dollars and make certain technical corrections.

Referred to **Natural and Economic Resources Committee.**

By Senators Mathis, Alexander, Sebo, and McDuffie:

S. B. 742, a bill to enact for North Carolina the Uniform Child Custody Jurisdiction Act.

May 23, 1977

Referred to **Judiciary I Committee.**

By Senator Vickery:

S. B. 743, a bill to provide for the termination of an arrest by a law enforcement officer.

Referred to **Judiciary I Committee.**

By Senators Garrison and Jordan:

S. B. 744, a bill to amend G. S. 18A-16 to provide for the selection of members of Scotland County ABC Board by the Board of County Commissioners.

Referred to **Alcoholic Beverage Control Committee.**

By Senator Davis:

S. B. 745, a bill to establish a statewide school health education program over a ten-year period of time.

Referred to **Human Resources Committee.**

By Senators Davis, Harrington, Totherow, and Jordan:

S. B. 746, a bill to provide limitations on actions for damages for personal injury, death or damage to property resulting from the use of products.

Referred to **Judiciary II Committee.**

By Senators Webster and Marvin:

S. B. 747, a bill to replace revenue lost by municipalities and counties by reason of taxation at reduced valuation of residential property of elderly and handicapped persons with low or moderate incomes.

Referred to **Finance Committee.**

By Senator Sebo:

S. B. 748, a bill to amend G. S. 135-4(1) to allow members of the State retirement system to purchase credit for retirement purposes for service previously rendered private higher educational institutions located in or outside of North Carolina.

Referred to **Finance Committee.**

By Senator Sebo:

S. B. 749, a bill to amend G. S. 135-(a)(2) authorizing State employees to continue employment until their seventieth birthday.

Referred to **Special Committee on Ways and Means.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

May 23, 1977

H. B. 542, Committee Substitute for **H. B. 542,** a bill to regulate the setting of steel traps in Bladen, Columbus, and Sampson Counties.

Referred to **Wildlife Committee.**

H. B. 573, Committee Substitute for **H. B. 573,** a bill relating to raffles and the game of bingo in Mecklenburg, Buncombe, and Alamance Counties.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 691, Committee Substittue for **H. B. 691,** a bill to elect members of the Moore County Board of Education through the non-partisan primary and election method.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 846, Committee Substitute for **H. B. 846,** a bill to increase the membership of the Brunswick County Board of Education and to provide for the election of members.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 847, Committee Substitute bill for **H. B. 847,** a bill to increase the membership of the Brunswick County Board of Commissioners and to provide for their election.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 882, a bill to authorize the holding of a malt beverage and unfortified wine election in the Town of Rural Hall.

Referred to **Alcoholic Beverage Control Committee.**

H. B. 995, Committee Substitute for **H. B. 995,** a bill to set the speed limit for buses transporting children with special needs.

Referred to **Judiciary II Committee.**

H. B. 1072, a bill to amend the retirement laws to provide the death benefit for members finishing the work year in which they turn 65.

Referred to **Special Committee on Ways and Means.**

H. B. 1125, a bill to amend Chapter 131 relating to public hospitals.

Referred to **Human Resources Committee.**

H. B. 1126, a bill to amend Chapter 143B to conform to name changes of various North Carolina institutions.

Referred to **Human Resources Committee.**

H. B. 1174, a bill to provide for one representative from each congressional district on the Social Services Commission.

Referred to **Human Resources Committee.**

H. J. R. 1211, a joint resolution honoring the life and memory of John Benton Stacy, a distinguished North Carolinian.

On motion of Senator Webster, the rules are suspended and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second and third readings and is ordered enrolled.

May 23, 1977

H. B. 1234, a bill to amend the Charter of the Town of Farmville, North Carolina.

On motion of Senator White, the rules are suspended, and the bill is placed on the Calendar for tomorrow, May 24.

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 341, a bill to define the practice of chiropractic, and guarantee freedom of choice to patients, and to specify the areas of expertise of chiropractors.

On motion of Senator Rauch, consideration of the bill is postponed until Tuesday, May 24.

S. B. 390, Committee Substitute for **S. B. 390**, a bill to increase the civil jurisdictional amount for magistrates and district courts.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 420, a bill to amend G. S. 97-80 of the Workmen's Compensation Act concerning the taxing of costs, upon third reading.

Senator Barnes offers Amendment No. 1 which is adopted.

The bill, as amended, passes its third reading by roll-call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, and Wynne — 35.

The bill, as amended, is ordered engrossed and sent to the House of Representatives.

S. B. 480, Committee Substitute for **S. B. 480**, a bill to increase the amount of land the Department of Natural and Economic Resources may acquire in fee simple along the New River.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 487, a bill to amend G. S. 95-108 to authorize deposit of fees collected from elevator, escalator, etc., inspection to be paid into the General Fund of the State treasury, upon third reading.

On motion of Senator Childers, the bill is re-referred to the **Ways and Mean Committee.**

S. B. 489, a bill to amend G. S. 95-69.12 to provide that fees collected for the inspection of boilers and pressure vessels shall be paid into the General Fund of the State treasury subject to appropriation by the General Assem-

bly and not restricted to covering the operating expenses of the boiler and pressure vessel inspections, upon third reading.

On motion of Senator Childers, the bill is re-referred to the **Ways and Means Committee.**

S. B. 530, a bill to raise the minimum term for imprisonment in the State Prison System from 30 to 180 days, as amended, upon third reading.

Senator Royall offers Amendment No. 2 which is adopted.

The bill, as amended, passses its third reading and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 545, a bill to empower personal representatives to make elections of certain personal and household effects for federal tax purposes.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 547, a bill to conform the replacement period for involuntarily converted real property held for productive use or investment, for State income tax purposes, to that provided for federal income tax purposes, upon second reading.

The bill passes passes its second reading by roll-call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Davis, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Swain, Vickery, Walker, Whichard, White, and Winters — 42.

The bill remains on the Calendar upon third reading.

S. B. 548, a bill to provide tax incentives to encourage preservation of historic structures.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 587, a bill to amend G. S. 105-163.6 relating to wages withheld for income tax purposes, upon second reading.

The bill passes its second reading by roll-call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 47.

The bill remains on the Calendar upon third reading.

S. B. 596, a bill to provide for inclusion in gross estate for inheritance

tax purposes the value of all gifts made within three years of donor's death, upon second reading.

The bill passes its second reading by roll-call vote, ayes 45, noes 2, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Gray, Hardison, Harris, Henley, Hill, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 45.

Those voting in the negative are: Senators Jordan and Popkin — 2.

The bill remains on the Calendar upon third reading.

S. B. 688, a bill to make the Lieutenant Governor Chairman of the State Board of Education, upon third reading.

Senator Lake calls the previous question, seconded by Senator Royall. The is sustained.

The bill passes its third reading and the House of Representatives is notified of such action.

S. B. 703, a bill to authorize the Town of Mount Olive to exercise the power of eminent domain pursuant to Article 9, Chapter 136 of the General Statutes, for concurrence in House Amendments No. 1 and No. 2.

On motion of Senator Barnes, the Senate concurs in House Amendments No. 1 and No. 2 and the bill is ordered enrolled.

H. B. 700, Senate Committee Substitute for **H. B. 700**, a bill to incorporate the Town of Rutherford College in Burke County, North Carolina, upon second reading.

The Senate Committee Substitute bill passes its second reading by roll-call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 45.

The Senate Committee Substitute bill remains on the Calendar upon third reading.

H. B. 997, a bill to amend Section 10-8 of the General Statutes to increase notary fees, upon third reading.

The bill passes its third reading by roll-call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed,

Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 46.

The bill is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 347, an act to amend G. S. 75A-15 with respect to special boating and water safety regulations applicable to local waters.

S. B. 501, Committee Substitute for S. B. 501, an act to enable the Department of Administration to initiate sales, leases, or rentals of State lands.

S. B. 562, an act to amend certain sections of the North Carolina Milk Commission Law.

S. B. 583, an act to ratify and validate the proceedings for the establishment of Chowan County Drainage District Number Three.

H. B. 549, Committee Substitute for S. B. 549, an act to amend G. S. 18A-16 to provide for the selection of the members of Martin County ABC Board by the Board of County Commissioners.

H. B. 661, an act to authorize and empower the Town Council of the Town of Southern Pines to construct and install, or contract for the construction and installation, of local improvements on its public streets and alleys, and to specially assess such portion of the costs thereof, exclusive of that incurred at street intersections, as it may determine against the property abutting upon such public street or alley so improved; and prescribing the procedure therefor.

H. B. 731, an act to amend G. S. 97-2(15) of the Workmen's Compensation Act concerning the definition of widower.

H. B. 762, an act to authorize a levy of not more than one dollar per year upon vehicles resident in Caswell County.

H. B. 1047, an act to increase the identification requirements of practitioners licensed by law to administer drugs.

H. B. 1105, an act to confirm certain portions of the corporate limits and to ratify actions of the Board of Aldermen of the Town of Black Mountain.

H. B. 1130, an act to appropriate Title II Antirecession Funds pursuant to emergency order issued by the Governor.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:30 P.M.

NINETY-FIFTH DAY

SENATE CHAMBER,
Tuesday, May 24, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable John T. Henley, President Pro Tempore.

Prayer is offered by the Reverend Thomas Law, St. Paul's Christian Church, Raleigh.

Senator Royall for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President assumes the Chair.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator White for the **Agriculture Committee:**

S. B. 563, a bill to re-create a State Farm Operations Commission within the Department of Agriculture, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator White, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 464, a bill to establish a real estate recovery fund; to make technical changes to Chapter 93A of the General Statutes; and to increase the educational requirements to qualify for licensure as a real estate broker, with an unfavorable report.

S. B. 722, a bill to amend G. S. 15A-274, issuance of order, with a favorable report.

By Senator Britt for the **Judiciary II Committee:**

S. B. 673, a bill to amend Article 1, Chapter 69 of the General Statutes, to provide authorization for chiefs of rural fire departments to investigate fires; to permit the submission of reports by computer; and to substitute Attorney General for references to Commissioner of Insurance to conform with G. S. 143A-52, with a favorable report.

S. B. 684, a bill to amend Article 2 of Chapter 20 of the General Statutes, the Uniform Driver's License Act, with a favorable report.

S. B. 690, a bill to make certain technical amendments to Rule 32 of the North Carolina Rules of Civil Procedure, with a favorable report, as amended.

H. B. 606, a bill to amend G. S. 20-141 to define the degree of liability placed upon a motorist who fails to stop his vehicle within the radius of its headlights or the range of his vision, with a favorable report.

H. B. 883, Committee Substitute for H. B. 883, a bill to permit professional boxing in Cumberland County subsequent to the creation of a boxing commission for Cumberland County, with a favorable report.

H. B. 1025, a bill to permit vehicles transporting human tissues and organs to use warning devices and red lights, with a favorable report.

By Senator Harrington for the **Transportation Committee:**

S. B. 213, House Committee Substitute for S. B. 213, a bill to change the members of the Board of Transportation, to abolish the Secondary Roads Council and to make other changes in the laws relating to the Department of Transportation, with an unfavorable report as to House Committee Substitute bill, favorable as to Senate Committee Substitute bill.

On motion of Senator Harrington, the rules are suspended and the Senate Committee Substitute bill is placed on today's Calendar.

By Senator Combs for the **Wildlife Committee:**

H. B. 595, a bill to establish the hunting hours for deer while still hunting in Pender and New Hanover Counties, with a favorable report, as amended.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Hardison:

S. B. 750, a bill to permit the Council of State to allocate funds from the Contingency and Emergency Fund to tax-exempt outdoor historical dramas.

Referred to **Appropriations Committee.**

By Senators Hardison and Royall:

S. B. 751, a bill to repeal Chapter 617 of the Session Laws of 1973 and to provide for the transfer of facilities of the National Driving Center, Inc., to the University of North Carolina.

Referred to **Appropriations Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

May 24, 1977

S. B. 153, House Committee Substitute for S. B. 153, a bill to rewrite Chapter 36 of the General Statutes relating to trusts.

Referred to **Judiciary II Committee.**

S. B. 165, Committee Substitute for S. B. 165, a bill to permit criminal prosecution upon initial violation of obscenity laws that relate to minors and non-consenting adults, for concurrence in the House amendment which is placed on the Calendar for Wednesday, May 25.

H. B. 719, Committee Substitute for H. B. 719, a bill to amend Article 4 of Chapter 122 of the General Statutes to protect the privacy of minors voluntarily admitted to a treatment facility by making the court record of admission confidential.

Referred to **Judiciary I Committee.**

H. B. 949, Committee Substitute for H. B. 949, a bill to define the responsibility for maintenance of residential rental units.

Referred to **Judiciary I Committee.**

H. B. 1009, a bill to amend G. S. 14-34.2, assault with a firearm or other deadly weapon upon law enforcement officer or fireman.

Referred to **Judiciary I Committee.**

H. B. 1065, a bill to amend G. S. 75-27 so that a person who receives unsolicited goods may treat them as a gift and is under no obligation to pay for the unsolicited goods.

Referred to **Judiciary II Committee.**

H. B. 1123, a bill to make it unlawful to take clams on oyster rocks by use of rakes or tongs or any other device which will disturb oysters: and to require the Department of Natural and Economic Resources to post oyster rocks to forbid the taking of clams in the above-described manner.

Referred to **Natural and Economic Resources Committee.**

H. B. 1134, a bill to amend Article 11 of Chapter 33 relating to gifts to minors to broaden the category of those eligible to become a custodian for the purposes of that Article.

Referred to **Judiciary I Committee.**

H. B. 1165, a bill to provide four-year terms of office for the Mayor and Board of Commissioners for the Town of Mount Olive.

Referred to **Local Government and Regional Affairs Committee.**

H. J. R. 1178, a joint resolution urging the Congress of the United States to amend H. B. 4287 and S. B. 717 so as to permit continued state-administration of the Federal Mine and Quarry Safety Program.

Referred to **Rules and Operation of the Senate Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

SPECIAL ORDER NO. 1

S. B. 473

The hour having arrived for the consideration of Special Order No. 1, the President of the Senate lays before the Senate Special Order No. 1, it being S. B. 473, Committee Substitute for S. B. 473, a bill to amend the Constitution and the General Statutes of North Carolina changing the method of selection of members of the State Board of Education and making the office of Superintendent of Public Instruction appointive, upon second reading.

On motion of Senator Renfrow, the **Appropriations Committee** Amendment, No. 1, is adopted, and on his further motion the **Constitutional Amendments Committee** Amendment No. 2, is adopted.

Senator Stallings offers Amendment No. 3 which is adopted.

Senator Lawing offers Amendment No. 4 which is adopted.

Senator Soles offers Amendment No. 5 which is adopted.

Senator Vickery moves that consideration of the Committee Substitute bill, as amended, be postponed until Tuesday, May 31, with a working engrossed copy ordered, as Special Order of Business No. 1, which motion fails to prevail.

The Committee Substitute bill, as amended, passes its second reading by roll-call vote, ayes 35, noes 13, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Crawford, Gray, Hardison, Harris, Henley, Hill, Kincaid, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Renfrow, Royall, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Stallings, Swain, White, Winters, and Wynne — 35.

Those voting in the negative are: Senators Daniels, Davis, Garrison, Harrington, Jordan, Raynor, Scott, Somers, Totherow, Vickery, Walker, Webster, and Whichard — 13.

On objection of Senator Renfrow to its third reading the Committee Substitute bill is placed on the Calendar for Friday, May 27 as Special Order of Business No. 1, with a working engrossed copy ordered.

S. B. 213, Senate Committee Substitute for House Committee Substitute for S. B. 213, a bill to change the members of the Board of Transportation, to abolish the Secondary Roads Council and to make other changes in the laws relating to the Department of Transportation.

On motion of Senator Harrington, the Senate Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Thursday, May 26.

S. B. 341, a bill to define the practice of chiropractic, and guarantee freedom of choice to patients, and to specify the areas of expertise of chiropractors.

On motion of Senator Britt, Committee Amendments No. 1 and No. 2 are adopted.

Senator Smith of Guilford offers Amendment No. 3 which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 424, a bill to redefine the practice of optometry consistent with modern advances in science and optometry.

Senator Hardison withdraws the recommended Committee Amendment and submits for the Committee, Amendment No. 1, which is adopted; and on his further motion Committee Amendment No. 2 is adopted.

The bill, as amended, passes its second and third reading and is ordered engrossed and sent to the House of Representatives.

S. B. 514, a bill to amend the Constitution of North Carolina to facilitate speedy trials, as amended, upon second and third readings.

On motion of Senator Smith of Guilford, Committee Amendment No. 2 is adopted.

The bill, as amended, passes its second reading by roll-call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Rauch, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 44.

Without objection, the bill, as amended, passes its third reading by roll-call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 46.

Having received a three-fifths majority vote, the bill, as amended, is ordered engrossed and sent to the House of Representatives.

S. B. 547, a bill to conform the replacement period for involuntarily converted real property held for productive use or investment, for State income tax purposes, to that provided for federal income tax purposes, upon third reading.

The bill passes its third reading by roll-call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Davis, Garrison, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Swain, Totherow, Walker, Webster, Whichard, Winters, and Wynne — 41.

The bill is ordered sent to the House of Representatives.

May 24, 1977

S. B. 563, Committee Substitute for S. B. 563, a bill to re-create a State Farm Operations Commission within the Department of Agriculture.

On motion of Senator White, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Thursday, May 26.

S. B. 587, a bill to amend G. S. 105-163.6 relating to wages withheld for income tax purposes, upon third reading.

The bill passes its third reading by roll-call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Swain, Totherow, Walker, Webster, Whichard, Winters, and Wynne — 42.

The bill is ordered sent to the House of Representatives.

S. B. 596, a bill to provide for inclusion in gross estate for inheritance tax purposes the value of all gifts made within three years of donor's death, upon third reading.

The bill passes its third reading by roll-call vote, ayes 45, noes 2, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Gray, Hardison, Harris, Henley, Hill, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 45.

Those voting in the negative: Senators Jordan and Popkin — 2.

The bill is ordered, without objection, sent to the House of Representatives by special messenger.

H. B. 357, a bill to establish the hunting season for deer in Stokes County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 602, a bill authorizing the Board of Commissioners of Dare County to create a Dare County Game and Wildlife Commission, upon second reading.

The bill passes its second reading by roll-call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 46.

The bill remains on the Calendar upon third reading.

H. B. 700, Senate Committee Substitute for **H. B. 700,** a bill to incorporate the Town of Rutherford College in Burke County, North Carolina, upon third reading.

The Senate Committee Substitute bill passes its third reading reading by roll-call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Harrington, Harris, Henley, Hill, Jordan, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Soles, Somers, Speed, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 44.

The Senate Committee Substitute bill is ordered sent to the House of Representatives for concurrence in the Senate Committee Substitute bill.

H. B. 803, Committee Substitute for **H. B. 803,** a bill to prevent the use of artificial light in areas inhabited by game in Scotland County.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 1234, a bill to amend the Charter of the Town of Farmville, North Carolina, upon second reading.

The bill passes its second reading by roll-call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 42.

The bill remains on the Calendar upon third reading.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 418, an act to amend G. S. 84-4.1 concerning the practice of out-of-state attorneys before the Industrial Commission.

S. B. 419, an act to amend G. S. 97-85 of the Workmen's Compensation Act concerning review of award.

S. B. 703, an act to authorize the Town of Mount Olive to exercise the power of eminent domain pursuant to Article 9, Chapter 136 of the General Statutes.

H. B. 97, an act to require that a female applicant for a marriage license receive a rubella immunity test.

H. B. 997, an act to amend Section 10-8 of the General Statutes to increase notary fees.

H. J. R. 1211, a joint resolution honoring the life and memory of John Benton Stacy, a distinguished North Carolinian.

May 24, 1977

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:30 P.M.

NINETY-SIXTH DAY

SENATE CHAMBER,
Wednesday, May 25, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we thank Thee for the sunshine and the rain, the growing crops and the promise of food, and pray that our gratitude for all Thy good gifts may find expression in obedient lives and faithful stewardship. Make us consciously aware of Thy presence and guidance, and may we follow in the paths which are pleasing to Thee. For Thy name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Winters for today.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Stallings for the **Education Committee:**

S. B. 93, a bill to provide compensation for children suffering school bus injuries which are not otherwise sufficiently compensable by law, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Stallings, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

By Senator McDuffie for the **Election Laws Committee:**

S. B. 2, a bill to provide that the primary election shall be held in May and to make appropriate changes in the election laws, with a favorable report.

H. B. 227, Committee Substitute for **H. B. 227,** a bill rewriting Article 20 of Chapter 163 of the General Statutes, with a favorable report.

H. B. 916, a bill to permit observers to be relieved on election day, with a favorable report, as amended.

H. B. 1040, a bill to amend G. S. 163-302 relating to municipal elections to clarify period for absentee ballot, with a favorable report.

By Senator Britt for the **Judiciary II Committee:**

S. B. 204, a bill to create a new Chapter 78B concerning tender offers, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Britt, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S. B. 453, a bill to regulate the handling of tenant security deposits in residential dwelling units, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Britt, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

By Senator Soles for the **Local Government and Regional Affairs Committee:**

S. B. 511, a bill to make the General Primary Laws applicable to the nomination of County officers in Mitchell County, with an unfavorable report.

S. B. 594, a bill to authorize sanitary districts to exercise exclusive zoning authority within their territories, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Soles, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S. B. 615, a bill to provide that the Town of Chapel Hill and the County of Orange each has one representative on the Raleigh-Durham Airport Authority, without prejudice.

S. B. 730, a bill to extend some or all of the provisions of the Local Governmental Budget and Fiscal Control Act to nonprofit corporations receiving moneys from counties and cities, with a favorable report.

H. B. 691, Committee Substitute for **H. B. 691,** a bill to elect members of the Moore County Board of Education through the non-partisan primary and election method, with a favorable report.

H. B. 846, Committee Substitute for **H. B. 846,** a bill to increase the membership of the Brunswick County Board of Education and to provide for the election of members, with a favorable report.

H. B. 847, Committee Substitute for **H. B. 847,** a bill to increase the membership of the Brunswick County Board of Commissioners and to provide for their election, with a favorable report.

H. B. 1136, a bill to change the Charlotte-Mecklenburg Board of Education mileage allowance from ten cents per mile to fifteen cents per mile, with a favorable report.

By Senator Whichard for the **State Government Committee:**

H. B. 1034, a bill to expand the membership and powers of the North Carolina Historical Commission, with a favorable report.

On motion of Senator Whichard, the bill is re-referred to the **Appropriations Committee.**

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senators Hill and Henley:

S. J. R. 752, a joint resolution expressing the intent of the General Assembly to allow the Department of Natural and Economic Resources to accept federal funds for the planning and development of a State park on the French Broad River.

Referred to **Special Committee on Ways and Means.**

By Senators Hardison, Royall, and Whichard:

S. B. 753, a bill to include the Research Triangle Institute as one of the organizations to which the provisions of Article 3C of Chapter 143 of the General Statutes do not apply.

Referred to **Special Committee on Ways and Means.**

By Senators Garrison, Totherow, Palmer, Combs, and Alford:

S. B. 754, a bill to create a commission to study the Statewide system of State parks and to make recommendations for necessary legislation to the 1977-1978 Session of the General Assembly.

Referred to **Special Committee on Ways and Means.**

By Senators Vickery, Rauch, Harris, Sebo, Alexander, Walker, Marvin, Lawing, Sharpe, Smith of New Hanover, Mathis, Gray, Lake, Winters, Ballenger, Hill, Soles, Swain, and Whichard:

S. B. 755, a bill to amend Chapter 1007 of the 1971 Session Laws to provide two additional TEACCH centers in Charlotte and Wilmington.

Referred to **Special Committee on Ways and Means.**

By Senator Harrington:

S. B. 756, a bill to rewrite G. S. 20-81 concerning the issuance of official license plates to State officials and to correct uncertainties resulting from the enactment of Chapter 865 and Chapter 432 of the 1975 Session Laws.

Referred to **Special Committee on Ways and Means.**

By Senator Smith of New Hanover:

S. B. 757, a bill to amend certain provisions of the law relating to the Battleship Commission.

Referred to **Judiciary I Committee.**

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By Senator Lake:

S. B. 758, a bill to amend the Mining Act of 1971, G. S. 74-46 et seq. to provide certain clarifying and technical amendments.
Referred to **Judiciary I Committee.**

By Senator Lake:

S. B. 759, a bill to amend the Sedimentation Pollution Control Act of 1973, G. S. 113A-50 et seq. to provide that actions for collection of civil penalties may be referred to the Attorney General in thirty days.
Referred to **Judiciary I Committee.**

By Senator Davis:

S. B. 760, a bill to amend Chapter 7A and 48 of the General Statutes relating to adoptions and termination of parental rights.
Referred to **Judiciary II Committee.**

By Senator Allsbrook:

S. B. 761, a bill to amend Article 22 of Chapter 14 of the General Statutes by adding G. S. 14-159.1 making it unlawful to alter, tamper with or bypass electric, gas or water meters; providing a presumption of intent and evidence thereof; providing penalties for violations; providing liability for damages in a civil action; providing an exemption; and providing an effective date.
Referred to **Judiciary I Committee.**

By Senator Kincaid:

S. B. 762, a bill to amend G. S. 160A-475 relating to the powers of regional council of Governments.
Referred to **Local Government and Regional Affairs Committee.**

By Senator Totherow:

S. B. 763, a bill to amend Article 25A of Chapter 58 and Article 8B of Chapter 105 of the General Statutes to assure the proper operation of North Carolina Reinsurance Facility on a sustaining but nonprofit basis in order to assure essential motor vehicle insurance to eligible risks.
Referred to **Insurance Committee.**

By Senators Henley and Raynor:

S. B. 764, a bill to appropriate funds for a comprehensive historic sites survey in Fayetteville and Cumberland County.
Referred to **Appropriations Committee.**

By Senators Henley and Raynor:

S. B. 765, a bill establishing the procedure for retaining an individual's driver's license in order to insure his appearance in court.
Referred to **Judiciary II Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 66, Committee Substitute bill for **S. B. 66,** a bill to amend various statutes regarding the administration of decedents' estates, for concurrence in the House amendment which is placed on the Calendar for Thursday, May 26.

H. B. 302, Committee Substitute for **H. B. 302,** a bill to provide that the advertising of the price of ophthalmic materials be permitted in North Carolina.

Referred to **Judiciary I Committee.**

H. B. 739, a bill to amend G. S. 97-83 of the Workmen's Compensation Act concerning Industrial Commission hearings.

Referred to **Appropriations Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

(Senator Henley presides over a portion of today's Session.)

S. B. 93, Committee Substitute for **S. B. 93,** a bill to provide payment for injuries sustained by pupils in school bus accidents.

On motion of Senator Stallings, the Committee Substitute bill is adopted, and on his further motion the Committee Substitute bill is re-referred to the **Appropriations Committee.**

S. B. 165, Committee Substitute for **S. B. 165,** a bill to permit criminal prosecution upon initial violation of obscenity laws that relate to minors and non-consenting adults, for concurrence in the House amendment.

On motion of Senator Barnes, the Senate concurs in the House amendment and the Committee Substitute bill is ordered enrolled.

S. B. 204, Committee Substitute for **S. B. 204,** a bill to create a new Chapter 78B concerning tender offers.

On motion of Senator Britt, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Friday, May 27.

S. B. 421, a bill to amend G. S. 97-40.1 of the Workmen's Compensation Act concerning the Second Injury Fund, as amended, upon third reading.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the House of Representatives.

S. B. 453, Committee Substitute for **S. B. 453,** a bill to regulate the handling of tenant security deposits in residential dwelling units.

On motion of Senator Britt, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Friday, May 27.

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S. B. 594, Committee Substitute for S. B. 594, a bill to authorize the Town of Smithfield to extend its zoning authority over West Smithfield Sanitary District.

On motion of Senator Soles, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Friday, May 27.

S. B. 673, a bill to amend Article 1, Chapter 69 of the General Statutes, to provide authorization for chiefs of rural fire departments to investigate fires; to permit the submission of reports by computer; and to substitute Attorney General for references to Commissioner of Insurance to conform with G. S. 143A-52.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 684, a bill to amend Article 2 of Chapter 20 of the General Statutes, the Uniform Driver's License Act.

On motion of Senator Harris, consideration of the bill is postponed until Tuesday, May 31.

S. B. 686, a bill to amend G. S. 153A-334 and G. S. 160A-375 to provide an additional remedy for the enforcement of subdivision ordinances and to further protect the purchaser of land in an unapproved subdivision.

Senator Barnes offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 690, a bill to make certain technical amendments to Rule 32 of the North Carolina Rules of Civil Procedure.

On motion of Senator Smith of Guilford, Committee Amendment No. 1 is adopted.

Senator Hill offers Amendment No. 2.

Senator Harris moves that the bill, as amended, and pending Amendment No. 2 do lie upon the table, which motion prevails. Amendment No. 2 and the bill lie upon the table.

S. B. 722, a bill to amend G. S. 15A-247, issuance of order.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 595, a bill to establish the hunting hours for deer while still hunting in Pender and New Hanover Counties.

On motion of Senator Combs, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 602, a bill authorizing the Board of Commissioners of Dare County to create a Dare County Game and Wildlife Commission, upon third reading.

The bill passes its third reading by roll-call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Ballenger, Barnes, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Marion, Marvin, Mathis, McDuffie, Palmer, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Totherow, Walker, Webster, Whichard, White, and Wynne — 38.

The bill is ordered enrolled.

H. B. 606, a bill to amend G. S. 20-141 to define the degree of liability placed upon a motorist who fails to stop his vehicle within the radius of its headlights or the range of his vision.

On motion of Senator Britt, consideration of the bill is postponed until Monday, May 30.

H. B. 883, Committee Substitute for **H. B. 883**, a bill to permit professional boxing in Cumberland County subsequent to the creation of a boxing commission for Cumberland County.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 1025, a bill to permit vehicles transporting human tissues and organs to use warning devices and red lights.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1234, a bill to amend the Charter of the Town of Farmville, North Carolina, upon third reading.

The bill passes its third reading by roll-call vote, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Crawford, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Kincaid, Marion, Marvin, Mathis, Palmer, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Swain, Totherow, Walker, Webster, Whichard, White, and Wynne — 36.

The bill is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 813, Committee Substitute for **H. B. 813**, an act to permit the City of Charlotte and the incorporated cities and towns in the counties of Buncombe, Cumberland, Davidson, Johnson, Madison, McDowell, New Hanover, Pender, Transylvania, and Yancey to increase their license tax levy on motor vehicles.

On motion of Senator Royall, the Senate adjourns to meet tomorrow at 1:30 P.M.

May 25, 1977

NINETY-SEVENTH DAY

SENATE CHAMBER,
Thursday, May 26, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we are thankful that Thou hast taught us in Thy Word that religious faith is not just a spiritual matter but an experience that is intended to influence all of life. If we therefore find life, or our work, becoming chaotic and confused, help us to remember that the God who brought order out of chaos at creation, is still ready to bring harmony and peace to our disturbed existence now. And to Thee we shall give the praise. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants courtesies of the gallery to the John F. Singleton family from Pitt County, chosen Farmers Home Administration Farm Family of the Year.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hardison for the **Appropriations Committee:**

S. B. 237, Committee Substitute for **S. B. 237,** a bill to promote and provide for community involvement in and use of the public schools, with a favorable report, as amended.

S. B. 334, Committee Substitute for **S. B. 334,** a bill to establish a system for the periodic review and for the termination, continuation, or reestablishment of certain licensing and regulatory agencies, with a favorable report, as amended.

H. B. 205, a bill to provide for annual testing in the public schools in order to assess the effectiveness of the educational process, with a favorable report, as amended.

By Senator Lawing for the **Banking Committee:**

S. B. 720, a bill to increase the annual license fee of building and loan associations and to require such fee for each branch, with an unfavorable report.

H. B. 927, Committee Substitute for **H. B. 927,** a bill to authorize savings and loan associations to utilize off-premises electronic information and funds transfer terminals, with a favorable report.

By Senator Hill for the **Constitutional Amendments Committee:**

H. B. 489, Committee Substitute for **H. B. 489,** a bill to amend Article V of the Constitution of North Carolina to authorize municipalities owning or operating electric systems and joint agencies composed of such municipalities to jointly or severally own, operate and maintain electric generation and transmission facilities with any person, firm, association or corporation, public or private, engaged in the generation, transmission or distribution of electric power and energy for resale within this State or any contiguous state, and to issue revenue bonds to finance the cost thereof, subject to the approval of the electorate, with a favorable report.

By Senator Harris for the **Human Resources Committee:**

H. B. 649, Committee Substitute for **H. B. 649,** a bill to amend 90-216.6 of the General Statutes of North Carolina relating to the disposition of unclaimed bodies, with a favorable report.

H. B. 1125, a bill to amend Chapter 131 relating to public hospitals, with a favorable report, as amended.

H. B. 1126, a bill to amend Chapter 143B to conform to name changes of various North Carolina Institutions, with a favorable report.

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 658, a bill to rewrite G. S. 15A-773 to provide for service of criminal process upon unincorporated associations, with a favorable report.

On motion of Senator Allsbrook, the bill is placed on the Calendar for Monday, May 30.

S. B. 659, a bill to amend G. S. 14-254 to provide more effective protection against corporate officers who misapply corporate funds, with a favorable report, as amended.

On motion of Senator Allsbrook, the bill is placed on the Calendar for Monday, May 30.

S. B. 660, a bill to prohibit the unauthorized use of a motor-propelled conveyance, with a favorable report, as amended.

On motion of Senator Allsbrook, the bill is placed on the Calendar for Monday, May 30.

S. B. 662, a bill to amend G. S. 14-288.8(c)(3) prohibiting weapons of mass death and destruction to replace the terms of "machine gun" and "sawed-off shotgun" with more specific descriptions, with a favorable report, as amended.

On motion of Senator Allsbrook, the bill is placed on the Calendar for Monday, May 30.

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By Senator Whichard for the **State Government Committee:**

S. B. 460, a bill providing for the review of administrative rules and regulations, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Whichard, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

By Senator Harrington for the **Transportation Committee:**

S. B. 639, a bill to increase the maximum length of combinations of vehicles operating upon the highways of the State, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Harrington, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S. B. 665, a bill relating to weight tolerance for pickup trucks licensed for minimum weights, with a favorable report, as amended.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Smith of Guilford:

S. B. 766, a bill to impose a privilege license tax upon moving picture machines.

Referred to **Finance Committee.**

By Senator Lake:

S. B. 767, a bill to amend the North Carolina credit union laws to permit the qualification of foreign State-chartered credit unions to do business in North Carolina.

Referred to **Judiciary I Committee.**

By Senator Barnes:

S. B. 768, a bill to amend the Oil Pollution Control Act.

Referred to **Judiciary I Committee.**

By Senator Harrington:

S. B. 769, a bill to exempt or defer the removal of certain directional signs, displays, and devices pursuant to Section 131 of Title 23 of the United States Code.

Referred to **Transportation Committee.**

By Senator Smith of New Hanover:

S. B. 770, a bill authorizing the recodification, revision and republication of the Statutory Law of General Applicability of the State of North Carolina and appropriating funds therefor.

Referred to **Special Committee on Ways and Means.**

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By Senators Jordan, Garrison, White, and Hardison:

S. J. R. 771, a joint resolution establishing a commission to study the need for and determine what action, if any, is necessary to develop an endangered and threatened species program in North Carolina.

Referred to **Special Committee on Ways and Means.**

By Senators Rauch, Hardison, Henley, Harris, and Marvin:

S. B. 772, a bill to determine the value and practicality of providing incentive pay for State employees for gains in the economy and efficiency in the rendering of governmental services.

Referred to **Appropriations Committee.**

By Senator Stallings:

S. B. 773, a bill to appropriate funds to the Administrative Office of the Courts for an additional deputy clerk and equipment in the office of Clerk of Superior Court in Craven County.

Referred to **Appropriations Committee.**

By Senator Smith of Guilford:

S. B. 774, a bill to make the representation or depiction of minors under the age of 16 in the context of sexual activity a felony.

Referred to **Judiciary I Committee.**

By Senators Palmer, Childers, Swain, Soles, Combs, Webster, Smith of New Hanover, McDuffie, Hardison, Lawing, Winters, and Sebo:

S. B. 775, a bill to establish a Jobs for Veterans Committee within the Department of Administration, Division of Veterans Affairs, to assume the duties of the Governor's Jobs for Veterans Committee and to assist veterans in obtaining employment.

Referred to **Special Committee on Ways and Means.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 45, House Committee Substitute for S. B. 45, a bill to permit a person's life to be insured for the benefit of his or her spouse or children or both.

Referred to **Insurance Committee.**

H. B. 356, Committee Substitute for H. B. 356, a bill to amend Chapter 7A of the General Statutes pertaining to the judicial procedure applicable to juveniles to allow the appointment of an attorney as guardian ad litem for any child alleged to be neglected.

Referred to **Judiciary I Committee.**

H. B. 492, Committee Substitute for H. B. 492, a bill to repeal Articles 27 and 29 of Chapter 115 of the General Statutes and to enact Articles 27A and 29A to provide an expanded legal basis for secondary school vocational education.

Referred to **Education Committee.**

H. B. 672, a bill to exclude Randolph County from the provisions regulating the practice of cosmetology.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 699, Committee Substitute for H. B. 699, a bill to continue the North Carolina Environmental Policy Act.

Referred to **Natural and Economic Resources Committee.**

H. B. 964, Committee Substitute for H. B. 964, a bill to amend Chapter 90, by adding a new G. S. 90-108(a)(13) pertaining to unauthorized possession of a blank prescription form.

Referred to **Judiciary I Committee.**

H. B. 1008, a bill to amend G. S. 20-118(5) to clarify the exemption for trucks or other motor vehicles transporting supplies, material, equipment or products necessary in carrying out farming operations from penalties provided therein.

Referred to **Transportation Committee.**

H. B. 1020, a bill to amend G. S. 153A-248 concerning the authority of a county to appropriate revenues.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 1054, a bill to amend Article 4, Chapter 114 of the General Statutes to provide for protection of public officials in certain instances by the North Carolina State Bureau of Investigation.

Referred to **Judiciary I Committee.**

H. B. 1089, a bill to amend G. S. 113-100 to provide that buffalo be exempted from "no open season" status for game hunting purposes.

Referred to **Wildlife Committee.**

H. B. 1159, a bill to authorize the Commissioner of Labor to waive the provisions of the child labor regulations laws when in his opinion the safety or health of the minor would not be adversely affected.

Referred to **Manufacturing, Labor and Commerce Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 2, a bill to provide that the primary election shall be held in May and to make appropriate changes in the election laws.

Senator Garrison offers Amendment No. 1.

Senator McDuffie calls the previous question, duly seconded. The call is sustained.

Amendment No. 1 is adopted.

Senator Hardison offers Amendment No. 2 which is adopted.

On motion of Senator Alford, consideration of the bill, as amended, is postponed until Monday, May 30.

S. B. 66, Committee Substitute bill for S. B. 66, a bill to amend various statutes regarding the administration of decedents' estates, for concurrence in the House amendments.

On motion of Senator Smith of New Hanover, the Senate concurs in the House amendments and the Committee Substitute bill is ordered enrolled.

S. B. 213, Senate Committee Substitute for House Committee Substitute for S. B. 213, a bill to change the members of the Board of Transportation, to abolish the Secondary Roads Council and to make other changes in the laws relating to the Department of Transportation.

Senator Henley moves that the Senate reconsider the vote by which the Senate Committee Substitute for House Committee Substitute for S. B. 213 was adopted, which motion prevails.

The Senate Committee Substitute bill is not adopted.

Senator Henley moves that House Committee Substitute for S. B. 213, tabled with an unfavorable report, be taken from the table and placed before the Senate for consideration, which motion prevails.

Senator Henley moves that the Senate do not concur in the House Committee Substitute for S. B. 213 and that a conference committee be appointed to resolve the differences arising between the two Bodies on the measure, which motion prevails.

The President appoints Senators Henley, Harrington, and Rauch as conferees on the part of the Senate and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

S. B. 460, Committee Substitute for S. B. 460, a bill providing for the review of administrative rules.

On motion of Senator Whichard, the Committee Substitute bill is adopted, and on his further motion is re-referred to the **Appropriations Committee.**

S. B. 563, Committee Substitute for S. B. 563, a bill to re-create a State Farm Operations Commission within the Department of Agriculture.

On motion of Senator White, consideration of the Committee Substitute bill is postponed until Monday, May 30.

S. B. 615, a bill to provide that the Town of Chapel Hill and the County of Orange each has one representative on the Raleigh-Durham Airport Authority.

On motion of Senator Soles, the bill is recommitted to the **Local Government and Regional Affairs Committee.**

S. B. 639, Committee Substitute for S. B. 639, a bill to increase the maximum length of combination vehicles operating upon the highways of the State.

On motion of Senator Harrington, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Tuesday, May 31.

S. B. 730, a bill to extend some or all of the provisions of the Local Government Budget and Fiscal Control Act to nonprofit corporations receiving moneys from counties and cities upon second reading.

The bill passes its second reading by roll-call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Walker, Webster, Whichard, White, and Winters — 43.

The bill remains on the Calendar upon third reading.

H. B. 227, Committee Substitute for H. B. 227, a bill rewriting Article 20 of Chapter 163 of the General Statutes.

On motion of Senator McDuffie, consideration of the Committee Substitute bill is postponed until Wednesday, June 1.

H. B. 691, Committee Substitute for H. B. 691, a bill to elect members of the Moore County Board of Education through the non-partisan primary and election method.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 741, a bill to revise and consolidate the Charter of the City of Wilmington, upon second reading.

On motion of Senator Soles, consideration of the bill is postponed until Thursday, June 2.

H. B. 846, Committee Substitute for H. B. 846, a bill to increase the membership of the Brunswick County Board of Education and to provide for the election of members.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 847, Committee Substitute bill for H. B. 847, a bill to increase the membership of the Brunswick County Board of Commissioners and to provide for their election.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 916, a bill to permit observers to be relieved on election day.

On motion of Senator McDuffie, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1040, a bill to amend G. S. 163-302 relating to municipal elections to clarify period for absentee ballot.

On motion of Senator McDuffie, consideration of the bill is postponed until Wednesday, June 1.

H. B. 1136, a bill to change the Charlotte-Mecklenburg Board of Education mileage allowance from ten cents per mile to fifteen cents per mile.

The bill passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratfiied and sent to the office of the Secretary of State:

S. B. 165, Committee Substitute for **S. B. 165,** an act to permit criminal prosecution upon initial violation of obscenity laws that relate to minors and non-consenting adults.

H. B. 357, an act to establish the hunting season for deer in Stokes County.

H. B. 602, an act authorizing the Board of Commissioners of Dare County to create a Dare County Game and Wildlife Commission.

H. B. 803, Committee Substitute for **H. B. 803,** an act to prevent the use of artificial light in areas inhabited by game in Scotland County.

H. B. 883, Committee Substitute for **H. B. 883,** an act to permit professional boxing in Cumberland County subsequent to the creation of a boxing commission for Cumberland County.

H. B. 1025, an act to permit vehicles transporting human tissues and organs to use warning devices and red lights.

H. B. 1234, an act to amend the Charter of the Town of Farmville, North Carolina.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 10:00 A.M.

NINETY-EIGHTH DAY

SENATE CHAMBER,
Friday, May 27, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we thank Thee that Thou hast given us far more than existence. Thou has given us life, and the ability to understand the meaning of life. Help us therefore to spend our days in purposeful pursuits, concerned not only with our own interest, but anxious also to promote the welfare of others. Being bound together in the bundle of life, may we live as brothers and sisters of a common Father. For Thy name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Marion, Rauch, Lake, and Somers for today, and to Senator Marion for Monday, May 30.

The President grants courtesies of the gallery to the Honorable Edward Sneed, former member of the House of Representatives for New Hanover County.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hardison for the **Appropriations Committee:**

S. B. 460, Committee Substiute for **S. B. 460,** a bill providing for the review of administrative rules and regulations, with a favorable report, as amended.

By Senator Lawing for the **Banking Committee:**

H. B. 1035, Committee Substitute for **H. B. 1035,** a bill to provide for the incorporation and operation of stock-owned savings and loan associations in North Carolina, with an unfavorable report as to House Committee Substitute bill, favorable as to Senate Committee Substitute bill.

On motion of Senator Lawing, the rules are suspended and the Senate Committee Substitute bill is placed on today's Calendar.

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 661, a bill to provide a dismissal-with-leave procedure in certain cases, with a favorable report, as amended.

H. B. 1134, a bill to amend Article 11 of Chapter 33 relating to gifts to minors to broaden the category of those eligible to become a custodian for the purposes of that Article, with a favorable report.

By Senator Britt for the **Judiciary II Committee:**

S. B. 40, a bill to amend the civil divorce, custody and support laws to provide equality of rights under the law to men and women, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Britt, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S. B. 621, a bill to repeal G. S. 20-140(c) which provides that any person who drives after consuming an amount of intoxicating liquor which affects his driving shall be guilty of reckless driving and which provides that this offense shall be a lesser included offense of driving under the influence of intoxicating liquor, with a favorable report.

On motion of Senator Britt, the bill is placed on the Calendar for Tuesday, May 31.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Combs:

S. B. 776, a bill to restructure the Wildlife Resources Commission and to make other necessary changes.

Referred to **Special Committee on Ways and Means.**

By Senators Childers, Allsbrook, White, Swain, Crawford, Palmer, Daniels, Harrington, and Britt:

S. B. 777, a bill to appropriate funds for construction of National Guard Armories in Scotland Neck and Raeford, and for additions to National Guard Armories in Ahoskie and Asheville.

Referred to **Appropriations Committee.**

By Senator Popkin:

S. B. 778, a bill requiring savings and loan and building and loan associations to furnish shareholders an annual financial statement.

Referred to **Banking Committee.**

By Senator Henley:

S. B. 779, a bill to appropriate funds for the operation of the Legislative Research Commission's review procedure for administrative rules.

Referred to **Appropriations Committee.**

By Senator Stallings:

S. B. 780, a bill to change the western boundary line of the Town of Alliance.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Davis:

S. B. 781, a bill to allow the Clerk of Superior Court to order payments for the support of dependents of incompetents.

Referred to **Judiciary I Committee.**

By Senators Smith of Guilford, Sebo, and Gray:

S. B. 782, a bill to appropriate funds for the construction of a gym at the Central North Carolina School for the Deaf.

Referred to **Appropriations Committee.**

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S. B. 213, House Committee Substitute for S. B. 213

HOUSE OF REPRESENTATIVES
May 26, 1977

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Committee Substitute to S. B. 213, a bill to change the members of the Board of Transportation, to abolish the Secondary Roads Council and to make other changes in the laws relating to the Department of Transportation, the Speaker has appointed as conferees on the part of the House, Representatives Bumgardner, Adams, and Hunter to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,
GRACE A. COLLINS
Principal Clerk

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 710, a bill to prohibit the hunting of deer on the Outer Banks in Currituck County.

Referred to **Wildlife Committee.**

H. B. 1094, a bill to amend the definition of "public enterprise" relating to cities and counties to include public transportation systems.

Referred to **Transportation Committee.**

H. J. R. 1186, a joint resolution urging the North Carolina Utilities Commission to investigate, study, and consider lifeline rates for essential use of electricity and natural gas by residential users.

Referred to **Public Utilities and Energy Committee.**

H. B. 1194, a bill to modify the provisions of Article 4A of G. S. Chapter 160A, regarding the proration of municipal taxes upon annexation.

Referred to **Finance Committee.**

H. B. 1196, a bill to amend Chapter 167 of the 1977 Session Laws to prevent the use of artificial lights in areas inhabited by game in Rowan County.

Referred to **Wildlife Committee.**

H. B. 1212, a bill to grant the Town of Farmville the authority to apply its local ordinance for control of erosion and sedimentation within its extraterritorial jurisdiction.

Referred to **Local Government and Regional Affairs Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

(Senator Henley presides over a portion of today's Session.)

SPECIAL ORDER NO. 1

S. B. 473

The hour having arrived for the consideration of Special Order No. 1, the President of the Senate lays before the Senate Special Order No. 1, it being **S. B. 473**, Committee Substitute for **S. B. 473**, a bill to amend the Constitution and the General Statutes of North Carolina changing the method of selection of members of the State Board of Education and making the office of Superintendent of Public Instruction appointive, as amended, upon third reading.

Senator Renfrow offers Amendment No. 6 which is adopted.

Senator Renfrow offers Amendment No. 7 which is adopted.

Senator Renfrow offers Amendment No. 8 which is adopted.

On motion of Senator Renfrow, consideration of the Committee Substitute bill, as amended, is postponed until Tuesday, May 31, as Special Order of Business No. 1, with a second working engrossed copy ordered.

S. B. 40, Committee Substitute for **S. B. 40**, a bill to amend the civil divorce, custody and support laws to provide equality of rights under the law to men and women.

On motion of Senator Britt, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Tuesday, May 31.

S. B. 204, Committee Substitute for **S. B. 204**, a bill to create a new Chapter 78B concerning tender offers.

On motion of Senator Davis, consideration of the Committee Substitute bill is postponed until Monday, May 30.

S. B. 237, Committee Substitute for S. B. 237, a bill to promote and provide for community involvement in and use of the public schools.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 334, Committee Substitute for S. B. 334, a bill to establish a system for the periodic review and for the termination, continuation, or re-establishment of certain licensing and regulatory agencies, as amended, upon third reading.

On motion of Senator Whichard, Committee Amendment No. 3 is adopted.

The Committee Substitute bill, as amended, passes its third reading and is ordered engrossed and sent to the House of Representatives.

S. B. 453, Committee Substitute for S. B. 453, a bill to regulate the handling of tenant security deposits in residential dwelling units.

Senator Hill offers Amendment No. 1 which fails of adoption.

Senator Hill offers Amendment No. 2.

Senator Wynne calls the previous question, duly seconded. The call is sustained.

Amendment No. 2 fails of adoption.

Senator Hill moves the Committee Substitute bill be re-referred to the **Judiciary II Committee**, which motion fails to prevail.

The Committee Substitute bill passes its second reading.

On objection of Senator Wynne to its third reading the Committee Substitute bill is placed on the Calendar for Tuesday, May 31.

S. B. 594, Committee Substitute for S. B. 594, a bill to authorize the Town of Smithfield to extend its zoning authority over West Smithfield Sanitary District, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Garrison, Gray, Hardison, Harrington, Henley, Hill, Jordan, Lawing, Marvin, Mathis, McDuffie, Palmer, Popkin, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Vickery, Walker, Whichard, and Wynne — 38.

The Committee Substitute bill remains on the Calendar upon third reading.

S. B. 665, a bill relating to weight tolerance for pickup trucks licensed for minimum weights.

On motion of Senator Speed, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 730, a bill to extend some or all of the provisions of the Local Government Budget and Fiscal Control Act to nonprofit corporations receiving moneys from counties and cities, upon third reading.

May 27, 1977

The bill passes its third reading by roll-call vote, ayes 35, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Daniels, Davis, Garrison, Hardison, Harrington, Harris, Henley, Hill, Jordan, Marvin, McDuffie, Palmer, Popkin, Raynor, Renfrow, Royall, Scott, Sharpe, Smith of Guilford, Smith of New Hanover, Speed, Swain, Totherow, Walker, Webster, Whichard, Winters, and Wynne — 35.

The bill is ordered sent to the House of Representatives.

H. B. 489, Committee Substitute for S. B. 489, a bill to amend Article V of the Constitution of North Carolina to authorize municipalities owning or operating electric systems and joint agencies composed of such municipalities to jointly or severally own, operate and maintain electric generation and transmission facilities with any person, firm, association or corporation, public or private, engaged in the generation, transmission or distribution of electric power and energy for resale within this State or any contiguous state, and to issue revenue bonds to finance the cost thereof, subject to the approval of the electorate, upon second reading.

Senator Royall offers Amendment No. 1 which is adopted.

On motion of Senator Britt, the Committee Substitute bill, as amended, is re-referred to the **Appropriations Committee.**

H. B. 1035, Senate Committee Substitute for House Committee Substitute for **H. B. 1035**, a bill to provide for the incorporation and operation of stock-owned savings and loan associations in North Carolina.

On motion of Senator Lawing, the Senate Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Tuesday, May 31.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 66, Committee Substitute bill for S. B. 66, an act to amend various statutes regarding the administration of decedents' estates.

S. B. 377, an act to regulate possession and use of firearms on public highways in Scotland County.

S. B. 513, Committee Substitute for S. B. 513, an act changing the method by which the profits of the Halifax County Board of Alcoholic Beverage Control shall be distributed.

S. B. 523, an act to amend Chapter 391, Session Laws of 1963 to provide that the New Hanover County Board of Education shall consist of seven members.

S. B. 530, an act to raise the minimum term for imprisonment in the State Prison System from 30 to 180 days.

S. B. 666, an act to authorize the City of Albemarle to convey certain real and personal property.

H. B. 595, an act to establish the hunting hours for deer while still hunting in Pender and New Hanover Counties.

H. B. 691, Committee Substitute for **H. B. 691,** an act to elect members of the Moore County Board of Education through the non-partisan primary and election method.

H. B. 846, Committee Substitute for **H. B. 846,** an act to increase the membership of the Brunswick County Board of Education and to provide for the election of members.

H. B. 847, Committee Substitute for **H. B. 847,** an act to increase the membership of the Brunswick County Board of Commissioners and to provide for their election.

H. B. 1136, an act to change the Charlotte-Mecklenburg Board of Education mileage allowance from ten cents per mile to fifteen cents per mile.

On motion of Senator Royall, the Senate adjourns to meet Monday at 7:00 P.M.

NINETY-NINTH DAY

SENATE CHAMBER,
Monday, May 30, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, on this day of remembrance, we would recall the heroism and courage with which our forefathers lived and died. If we are ever tempted to think that life is hard for us, make us mindful of the privations and sacrifices made by those who went before us in their efforts to carve out for us a worthy heritage. Help us to preserve and pass on to our children the ideals which have been handed down to us. For Thy name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of Friday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Marvin and Vickery for tonight. A leave of absence granted previously to Senator Marion is noted.

The President recognizes the following pages serving in the Senate this week: Debbie Cooper, Statesville; Mary Dalton, Jamestown; Laura Fountain, Raleigh; Ray Gambrell, Raleigh; Kim Gibson, Bladenboro; George Gunzenhauser, Fayetteville; Warner Johnson, Raleigh; Mac Jordan, Saxapahaw; Cris Laughlin, Greensboro; Vicki McIntyre, Raleigh; Stave Scott, Raleigh; Debbie Smith, Wendell; John Smith, Raleigh; Sharon Vinson, Catawba; Neil Wells, Cary; and John Wilson, Greensboro.

S. B. 473, Committee Substitute for S. B. 473, a bill to amend the Constitution and the General Statutes of North Carolina changing the method of selection of members of the State Board of Education and making the office of Superintendent of Public Instruction appointive.

On motion of Senator Renfrow, the rules are suspended, and the Committee Substitute bill is taken from the Calendar for Tuesday, May 31 as Special Order of Business No. 1 and recommitted to the **Appropriations Committee on Education.**

S. B. 688, a bill to make the Lieutenant Governor Chairman of the State Board of Education.

The President orders the bill sent to the House of Representatives.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and introduced, read the first time and disposed of as follows:

By Senator Webster:

S. B. 783, a bill to amend G. S. 62-140 to permit the payment of certain commissions to motels, hotels, and hospitals by telephone utilities for the handling of intrastate telephone toll calls.

Referred to **Public Utilities and Energy Committee.**

By Senators Smith of New Hanover, Hill, Walker, Somers, Soles, Harrington, Palmer, and Lake:

S. B. 784, a bill to permit an individual detained under the reasonable belief that he is driving under the influence to request and be administered a breath test before his arrest.

Referred to **Judiciary I Committee.**

By Senator Whichard:

S. B. 785, a bill to appropriate funds to the Department of Cultural Resources for the continuance of the Stagville Preservation Center.

Referred to **Appropriations Committee.**

By Senator White:

S. B. 786, a bill to exempt auction sales conducted by or on behalf of civic clubs from the coverage of General Statutes Chapter 85B.
Referred to **Judiciary I Committee.**

By Senator Winters:

S. B. 787, a bill to protect the credit rating of consumers who voluntarily surrender to a creditor certain mortgaged personal property.
Referred to **Judiciary I Committee.**

By Senators Renfrow, Royall, Vickery, Stallings, Winters, Wynne, Garrison, Whichard, Jordan, Popkin, Raynor, Walker, Marvin, Mathis, Gray, Sebo, Totherow, Ballenger, Sharpe, Childers, Smith of New Hanover, and Barnes:

S. B. 788, a bill to rewrite the elementary and secondary education laws of this State.
Referred to **Education Committee.**

By Senators Palmer, Swain, Soles, Sharpe, Hill, Ballenger, Mathis, Harris, Marion, Lawing, Childers, and White:

S. B. 789, a bill to provide for one representative from each congressional district on the Veterans' Affairs Commission and to make other conforming changes.
Referred to **Special Committee on Ways and Means.**

By Senators Speed and Alford:

S. B. 790, a bill to require county boards of elections to meet and pass upon all applications for registration.
Referred to **Election Laws Committee.**

By Senator Alexander:

S. B. 791, a bill to limit the security deposit required by natural gas public utilities.
Referred to **Public Utilities and Energy Committee.**

By Senator Swain:

S. B. 792, a bill to provide for the death penalty for rape.
Referred to **Judiciary I Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 470, Committee Substitute for **H. B. 470,** a bill to amend 18A-35 to allow local government units to regulate the public consumption of malt beverages and wine.

Referred to **Judiciary I Committee.**

H. B. 500, Committee Substitute for **H. B. 500,** a bill to authorize the Board of Alcoholic Control to refuse to issue retail malt beverage and wine permits.

Referred to **Judiciary I Committee.**

H. B. 620, Committee Substitute for **H. B. 620,** a bill to prohibit the use of steel traps in Cumberland County.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 858, Committee Substitute for **H. B. 858,** a bill to permit sales and use tax refunds on medicines and drugs purchased by certain hospitals.

Referred to **Finance Committee.**

H. J. R. 865, a joint resolution commending the Harnett County Historical Society for its efforts to further the preservation, restoration, and maintenance of the homeplace of Dr. and Mrs. James Archibald Campbell, which is situated on the grounds of Campbell College in Buies Creek.

Referred to **Rules and Operation of the Senate Committee.**

H. B. 926, a bill to create a special waterfowl hunting license and to increase the Migratory Waterfowl Conservation Program.

Referred to **Special Committee on Ways and Means.**

H. B. 1051, a bill to permit the collection in alcoholic beverage control stores of donations to the Alcoholism Research Fund.

Referred to **Special Committee on Ways and Means.**

H. B. 1148, a bill to amend G. S. 113-95, relating to hunting and fishing license fees, so as to provide for a reduced fee for totally disabled residents of this State.

Referred to **Finance Committee.**

H. B. 1256, a bill to amend the Charter of the Town of Saratoga.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 1310, a bill to validate the recording of certain maps in Yadkin County.

Referred to **Local Government and Regional Affairs Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 2, a bill to provide that the primary election shall be held in May and to make appropriate changes in the election laws, as amended.

Senator Sebo offers Amendment No. 3 which fails of adoption.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 204, Committee Substitute for S. B. 204, a bill to create a new Chapter 78B concerning tender offers.

On motion of Senator Henley, consideration of the Committee Substitute bill is postponed until Tuesday, May 31.

S. B. 460, Committee Substitute for S. B. 460, a bill providing for the review of administrative rules.

On motion of Senator Henley, consideration of the Committee Substitute bill is postponed until Thursday, **June 2.**

S. B. 563, Committee Substitute for S. B. 563, a bill to re-create a State Farm Operations Commission within the Department of Agriculture.

Senator Davis offers Amendment No. 1 which is adopted.

The Committee Substitute bill, as amended, passes its second reading.

On motion of Senator Royall, the Committee Substitute bill, as amended, is re-referred to the **Appropriations Committee.**

S. B. 594, Committee Substitute for S. B. 594, a bill to authorize the Town of Smithfield to extend its zoning authority over West Smithfield Sanitary District, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 34, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Combs, Garrison, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Mathis, McDuffie, Palmer, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Walker, Whichard, White, Winters, and Wynne — 34.

The Committee Substitute bill is ordered sent to the House of Representatives.

S. B. 658, a bill to rewrite G. S. 15A-773 to provide for service of criminal process upon unincorporated associations.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 659, a bill to amend G. S. 14-254 to provide more effective protection against corporate officers who misapply corporate funds.

On motion of Senator Lake, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading.

On objection of Senator Webster to its third reading the bill, as amended, remains on the Calendar.

S. B. 660, a bill to prohibit the unauthorized use of a motor-propelled conveyance.

On motion of Senator Smith of New Hanover, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading.

On objection of Senator Soles to its third reading the bill, as amended, remains on the Calendar.

S. B. 661, a bill to provide a dismissal-with-leave procedure in certain cases.

On motion of Senator Smith of New Hanover, Committee Amendment No. 1 is adopted.

On motion of Senator Alexander, the bill, as amended, is recommitted to the **Judiciary I Committee.**

S. B. 662, a bill to amend G. S. 14-288.8(c)(3) prohibiting weapons of mass death and destruction to replace the terms of "machine gun" and "sawed-off shotgun" with more specific descriptions.

On motion of Senator Barnes, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 222, an act to define and enlarge the corporate limits of the City of Wilmington.

S. B. 714, an act to make Part 3 of Article 4A, Chapter 160A of the General Statutes, applicable to the City of Roanoke Rapids, subject to a vote of the people in Roanoke Rapids Township.

S. J. R. 629, a joint resolution honoring the life, service and memory of Carl Grady Carpenter, distinguished citizen of North Carolina.

H. B. 700, Senate Committee Substitute for H. B. 700, an act to incorporate the Town of Rutherford College in Burke County, North Carolina.

H. B. 916, an act to permit observers to be relieved on election day.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:30 P.M.

ONE HUNDRETH DAY

SENATE CHAMBER,
Tuesday, May 31, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

May 31, 1977

"Our Father, we invoke Thy blessing upon us as we assemble here today. We thank Thee for these who are willing to forfeit personal profit in order to render public service. Give them knowledge and wisdom, and may they find satisfaction in the knowledge that so few can mean so much to so many. And to Thee we give the praise. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Marion for today.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows.

By Senator Winters for the **Alcoholic Beverage Control Committee:**

S. B. 744, a bill to amend G. S. 18A-16 to provide for the selection of members of Scotland County ABC Board by the Board of County Commissioners, with a favorable report.

H. B. 917, a bill to amend Chapter 841 of the Session Laws of 1955 relating to the establishing alcoholic beverage control stores in the City of High Point, with a favorable report.

By Senator Stallings for the **Education Committee:**

H. B. 824, Committee Substitute for **H. B. 824,** a bill to provide for a system of educational opportunities for all children requiring special education, with a favorable report, as amended.

On motion of Senator Stallings, the rules are suspended and the Committee Substitute bill is placed before the Senate for immediate consideration, and on his further motion Committee Amendment No. 1 is adopted.

On motion of Senator Stallings, the Committee Substitute bill, as amended, is re-referred to the **Appropriations Committee.**

By Senator Wynne for the **Higher Education Committee:**

S. B. 691, a bill to amend G. S. 116-36, concerning endowment funds for constituent institutions of the University of North Carolina, with a favorable report.

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 263, Committee Substitute for **S. B. 263,** a bill to amend G. S. 93-12 to increase the educational requirement and broaden the work experience requirement, with a favorable report.

S. B. 568, a bill to amend G. S. 7A-273 relating to the power of magistrates in criminal actions relating to worthless checks, with a favorable report.

S. B. 626, a bill to amend G. S. 26-16.2 requiring a breathalyzer refusal to be willful and unreasonable, with a favorable report.

S. B. 743, a bill to provide for the termination of an arrest by a law enforcement officer, with an unfavorable report.

S. B. 784, a bill to permit an individual detained under the reasonable belief that he is driving under the influence to request and be administered a breath test before his arrest, with a favorable report.

By Senator Britt for the **Judiciary II Committee:**

S. B. 350, a bill to amend G. S. 6-21 relating to costs in civil actions, with a favorable report.

S. B. 364, a bill to amend certain sections of G. S. Chapter 110 which relate to child labor regulations by removing sex discrimination provisions, with a favorable report.

S. B. 365, a bill to construe "juvenile" as any person who has not reached his eighteenth birthday in applying for the return of a runaway, with a favorable report.

S. B. 617, a bill to amend G. S. 95-138 concerning civil penalties, with an unfavorable report.

S. B. 648, a bill to amend the Bicycle and Bikeway Act of 1974 to further provide for the promotion, administration, and regulation of bicycle and bikeway activities in North Carolina, with a favorable report.

On motion of Senator Britt, the bill is re-referred to the **Appropriations Committee.**

S. B. 699, a bill to amend G. S. 14-87 to increase the minimum penalty for robbery with firearms or other dangerous weapons from five to ten years, with an unfavorable report.

By Senator Harrington for the **Transportation Committee:**

S. B. 736, a bill to provide medium custody prisoners for work on State roads and highways, with a favorable report.

On motion of Senator Harrington, the bill is re-referred to the **Appropriations Committee.**

H. B. 1000, a bill to amend G. S. 136-18 to authorize the Department of Transportation to condemn for improvements to State maintained secondary roads under certain conditions, with a favorable report.

H. B. 1008, a bill to amend G. S. 20-118(5) to clarify the exemption for trucks or other motor vehicles transporting supplies, material, equipment or

products necessary in carrying out farming operations from penalties provided therein, with a favorable report.

H. B. 1075, a bill to amend G. S. 20-81.2 to further define requirements of special license plates for historic vehicles, with a favorable report.

On motion of Senator Harrington, the bill is re-referred to the **Finance Committee.**

By Senator Combs for the **Wildlife Committee:**

S. B. 20, a bill to amend Article 2 of Chapter 19A of the General Statutes relating to the possession of black bears, so as to provide that said Article will not apply to black bears held in captivity on or before July 1, 1975, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Combs, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Swain:

S. B. 793, a bill to amend Chapter 415, Session Laws of 1977, relating to the Civil Service Commission of the City of Asheville.

Referred to **Local Government and Regional Affairs Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 385, a bill to authorize municipalities to create public transportation authorities, for concurrence in the House amendments which is placed on the Calendar for Wednesday, June 1.

S. B. 577, a bill to permit the creation of county water and sewer districts, the issuance of the bonds and notes of such districts, and the levy of taxes within such districts, for concurrence in the House amendment which is placed on the Calendar for Wednesday, June 1.

H. B. 1005, Committee Substitute for **H. B. 1005**, a bill to amend Chapter 74B of the General Statutes, the Private Protective Services Act.

Referred to **Judiciary I Committee.**

H. B. 1073, a bill to amend Chapter 18A of the General Statutes to permit the sale of wine cocktails in Grade A Restaurants with on-premises wine permits.

Referred to **Judiciary I Committee.**

H. B. 1135, a bill to amend Article 26 of Chapter 116 relating to a self-insurance program for health care liability claims.

Referred to **Insurance Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 20, Committee Substitute for **S. B. 20**, a bill to allow the keeping of a certain black bear in Carteret County by exempting the person who kept this black bear prior to July 1, 1975, from Article 2 of G. S. Chapter 19A.

On motion of Senator Combs, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Thursday, June 2.

S. B. 40, Committee Substitute for **S. B. 40**, a bill to amend the civil divorce, custody and support laws to provide equality of rights under the law to men and women.

Senator Britt offers Amendment No. 1 which is adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 204, Committee Substitute for **S. B. 204**, a bill to create a new Chapter 78B concerning tender offers.

Senator Renfrow offers Amendment No. 1 which fails of adoption.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 453, Committee Substitute for **S. B. 453**, a bill to regulate the handling of tenant security deposits in residential dwelling units, upon third reading.

The Committee Substitute bill passes its third reading and is ordered sent to the House of Representatives.

S. B. 621, a bill to repeal G. S. 20-140(c) which provides that any person who drives after consuming an amount of intoxicating liquor which affects his driving shall be guilty of reckless driving and which provides that this offense shall be a lesser included offense of driving under the influence of intoxicating liquor.

Senator Swain raises a point of order under Rule 53 that **S. B. 289**, tabled by the Senate on April 14, 1977, contains the same provisions of this measure. The Chair defers a ruling until tomorrow, June 1.

S. B. 639, Committee Substitute for **S. B. 639**, a bill to increase the maximum length of combination vehicles operating upon the highways of the State.

Senator Kincaid offers Amendment No. 1.

Senator Kincaid calls the previous question, duly seconded. The call is sustained.

Amendment No. 1 fails of adoption.

Senator Harrington calls the previous question, seconded by Senator Royall. The call is sustained.

The Committee Substitute bill passes its second reading.

Without objection, Senator Jordan is excused from voting for the following reason: "Possible conflict of interest due to ownership of trucks."

Senator Daniels objects to the third reading of the Committee Substitute bill.

Senator Harrington moves that the rules be suspended and the Committee Substitute bill be considered upon third reading.

Senator Gray offers a substitute motion to re-refer the Committee Substitute bill to the **Appropriations Committee,** which motion fails to prevail.

Senator Harrington withdraws his motion.

Upon objection of Senator Daniels, the Committee Substitute bill remains on the Calendar upon third reading.

S. B. 659, a bill to amend G. S. 14-254 to provide more effective protection against corporate officers who misapply corporate funds, as amended, upon third reading.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the House of Representatives.

S. B. 660, a bill to prohibit the unauthorized use of a motor-propelled conveyance, as amended, upon third reading.

Senator Soles offers Amendment No. 2 which is adopted.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the House of Representatives.

H. B. 205, a bill to provide for annual testing in the public schools in order to assess the effectiveness of the educational process.

On motion of Senator Sebo, Committee Amendments No. 1, No. 2, No. 3, No. 4, No. 5, and No. 6 are adopted.

Senator Royall offers Amendment No. 7 which is adopted.

On motion of Senator Sebo, consideration of the bill, as amended, is placed on the Calendar for Wednesday, June 1, as Special Order of Business No. 1, with a working engrossed copy ordered.

H. B. 1035, Senate Committee Substitute for House Committee Substitute for **H. B. 1035,** a bill to provide for the incorporation and operation of stock-owned savings and loan associations in North Carolina, upon second reading.

The Senate Committee Substitute bill passes its second reading by roll-call vote, ayes 46, noes 2, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, and Winters — 46.

Those voting in the negative are: Senators McDuffie and Wynne — 2.

On motion of Senator Rauch, the Senate Committee Substitute bill is re-referred to the **Finance Committee.**

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 420, an act to amend G. S. 97-80 of the Workmen's Compensation Act concerning the taxing of costs.

S. B. 421, an act to amend G. S. 97-40.1 of the Workmen's Compensation Act concerning the Second Injury Fund.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:30 P.M.

ONE HUNDRED FIRST DAY

SENATE CHAMBER,
Wednesday, June 1, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Reverend Fred Rhodes, Pastor of Antioch and Bear Creek Baptist Churches, Enfield.

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Lake for today.

The President extends courtesies of the gallery to the Honorable James B. Garland, former Representative from Gaston County.

Senator Allsbrook rises on a point of personal privilege and upon his motion, seconded by Senator Henley, his remarks and the accompanying press release of the Honorable James C. Green, Lieutenant Governor, are spread upon the Journal as follows:

"Mr. President, Ladies and Gentlemen of the Senate, I rise today on a point of personal privilege because what I have to say is a genuine privilege and is expressed with the deepest admiration for our Lieutenant Governor.

"This morning at 9:15 A.M. our Lieutenant Governor held a press conference in the press room in this building. I wish that all of you could have been there because you would have seen statesmanship exemplified by the Governor to the highest degree.

"Among the many important things he said were the following: 'As you know — the North Carolina State Senate has passed, by a substantial mar-

gin, a bill to make the Lieutenant Governor permanent Chairman of the State Board of Education. The fact remains, however, that education is much bigger than politics — it is much bigger than the Governor and the Lieutenant Governor and the Board of Education — education is enormously important to the future well being of our State — and we must not let politics be the overriding consideration in this matter.

"Education of our youth is the single most important function of government in our State. I am totally and completely dedicated to improving the education of our children — and I am convinced that Governor Hunt is likewise committed to improving education in North Carolina — and I am convinced that the General Assembly and the public share that same concern. Governor Hunt and I are united in a common goal for education — and — the Board needs to be united in a common goal for education. I feel that one thing that I can do at this time is to promote unity on the Board — and I would like to see the members of the Board joint together and work together under the leadership of the new Chairman who will be elected tomorrow. The Board membership is almost equally divided on the selection of a new Chairman — and if the Board starts out with this type of division many vital programs will be in jeopardy. But on the other hand, if the Board starts out in a positive way this will go far to insure unity — this will go far to insure that we do, in fact, improve the education of our children. I would like to say to my fellow North Carolinians that with this single purpose in mind — with the children of North Carolina foremost — it is my wish that my name not be placed in nomination for Chairman during the next two years.'

"I have never seen greater evidence of unselfishness and statesmanship exercised to a higher degree than by our Lieutenant Governor this morning, and I am sure that all members of the Senate join with me in commending to the highest degree his action this morning to re-affirm his personal commitment to the cause of quality education of all of the children of North Carolina."

Press Release
Lieutenant Governor James C. Green
June 1, 1977

EDUCATION

I have called this Press Conference today to discuss my views regarding education in North Carolina and the Chairmanship of the State Board of Education.

By virtue of my election as Lieutenant Governor I am a member of the State Board of Education and for the first time have the opportunity to become more actively involved in policy-making decisions concerning public education.

This concern is what led me to appreciate the confidence of Board members in naming me acting Chairman — and this same concern prompted me to respond to encouragement from hundreds of citizens to become permanent Chairman during the next two years.

Many people in North Carolina have written me and called me — and literally urged me — to seek the position of Board Chairman.

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As you know — the North Carolina State Senate has passed, by a substantial margin, a bill to make the Lieutenant Governor permanent Chairman of the State Board of Education, and this bill has now been given an unfavorable report in a House committee.

As you also know — Governor Hunt, before his election, also shared the view that the Lieutenant Governor should probably be the Chairman of the State Board of Education and, further, my opponent in the Democratic runoff for Lieutenant Governor shared this same opinion.

Any public official has the right to change his mind — and any public official has the right to urge his views regarding the Chairmanship of the State Board of Education.

The fact remains, however, that education is much bigger than politics — it is much bigger than the Governor and the Board of Education — education is enormously important to the future well being of our State — and we must not let politics be the overriding consideration in this matter.

The Lieutenant Governor is a proper official — and may be the very best official — to serve as permanent Chairman of the Board of Education — and if the North Carolina General Assembly ever makes this a matter of law — I believe they would have just cause to do so. However, that matter is no longer before the 1977 General Assembly.

Governor Hunt and I share many similar views regarding the crucial problems of public education — and at the same time we both reserve the right to articulate our own philosophy on individual matters — and this is good — and this is positive — and this is in the best interest of public education in North Carolina.

Education of our youth is the single most important function of government in our State — and despite our efforts — the educational needs of our children are poorly fulfilled.

I am totally and completely dedicated to improving the education of our children — and I am convinced that Governor Hunt is likewise committed to improving education in North Carolina — and I am convinced that the General Assembly and the public share that same concern.

The open discussion regarding my views and the views of the Governor with reference to the Board of Education has been useful in focusing attention on the significance and importance of that Board.

Governor Hunt and I are united in a common goal for education — and — the Board needs to be united in a common goal for education — but the Board cannot be a rubber stamp — and the Board must be willing to confront professional educators on critical issues to insure that basic educational needs of our children are met in this State.

The Board must insure that minorities and underprivileged receive proper attention and concern. We have too long neglected minorities and handicapped and underprivileged — we have too long measured progress in terms of air conditioned buildings and not in terms of academic achievement — and I for one am not pleased with the so called progress that we have made to date.

During my lengthy campaign for Lieutenant Governor I heard the citizens of North Carolina say time and time again — something has got to be done

to dramatically improve our educational system — and I campaigned on the principle that we would, in fact, do something to substantially improve education in this State.

I feel that one thing that I can do at this time is to promote unity on the Board — and I would like to see the members of the Board join together and work together under the leadership of the new Chairman who will be elected tomorrow.

The Board membership is almost equally divided on the selection of a new Chairman — and if the new Board starts out with this type of division many vital programs will be in jeopardy. But on the other hand, if the Board starts out in a positive way this will go far to insure unity — this will go far to insure that we do, in fact, improve the education of our children.

I would like to say to my fellow North Carolinians that with this single purpose in mind — with the children of North Carolina foremost — it is my wish that my name not be placed in nomination for Chairman during the next two years.

I can think of no single thing that I can do at this time which will more clearly demonstrate my feeling that education is much bigger than politics — and that the children of our State must come first.

As Lieutenant Governor and as a member of the Board of Education, I intend to continue expressing my own philosophy on educational matters — and I intend to raise important educational questions — and I intend to urge the Board to establish a common goal for solving basic education needs of our children.

S. B. 648, a bill to amend the Bicycle and Bikeway Act of 1974 to further provide for the promotion, administration, and regulation of bicycle and bikeway activities in North Carolina.

On motion of Senator Hardison, the rules are suspended, and the bill is taken from the **Appropriations Committee** and re-referred to the **Judiciary II Committee.**

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Renfrow for the **Appropriations Committee on Education:**

S. B. 473, Committee Substitute for S. B. 473, a bill to amend the Constitution and the General Statutes of North Carolina changing the method of selection of members of the State Board of Education and making the office of Superintendent of Public Instruction appointive, with an unfavorable report as to Committee Substitute bill, favorable as to Committee Substitute bill No. 2.

On motion of Senator Renfrow, the rules are suspended and the Committee Substitute bill No. 2 is placed on today's Calendar.

By Senator Smith of Guilford for the **Criminal Justice Committee:**

S. B. 654, a bill to reconstitute the Area Inmate Labor Commissions and the State Inmate Labor Commission, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Smith of Guilford, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

By Senator Rauch for the **Finance Committee:**

S. B. 99, a bill to decrease the cigarette stamp discount to one-tenth of a cent, with an unfavorable report.

S. B. 100, a bill to amend G. S. 105-113.86(h) by substituting three percent for the figure four percent, with an unfavorable report.

S. B. 581, a bill to correct inequities to nonresidents in computing net taxable income due the State of North Carolina and to make the law of the State of North Carolina regarding the same conform with the laws of adjoining states, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Rauch, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

By Senator Britt for the **Judiciary II Committee:**

S. B. 195, a bill to amend G. S. 20-179(a) to increase the punishment for driving under the influence of intoxicating liquor, narcotic drugs, or other impairing drugs and to amend G. S. 15A-511(a)(3) relating to a defendant's appearance before a magistrate, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Britt, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

By Senator Soles for the **Local Government and Regional Affairs Committee:**

S. B. 733, a bill to amend G. S. 90-64 to modify reciprocity requirements for pharmacists licensed by another state, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Soles, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S. B. 780, a bill to change the western boundary line of the Town of Alliance, with a favorable report.

S. B. 793, a bill to amend Chapter 415, Session Laws of 1977, relating to the Civil Service Commission of the City of Asheville, with a favorable report.

H. B. 573, Committee Substitute for **H. B. 573,** a bill relating to raffles and the game of bingo in Mecklenburg, Buncombe, and Alamance Counties, with a favorable report, as amended.

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H. B. 620, Committee Substitute for **H. B. 620,** a bill to prohibit the use of steel traps in Cumberland County, with a favorable report.

H. B. 672, a bill to exclude Randolph County from the provisions regulating the practice of cosmetology, with a favorable report.

H. B. 850, a bill to incorporate the Town of Beech Mountain South, with a favorable report.

On motion of Senator Soles, the rules are suspended, and the bill is placed before the Senate for immediate consideration, upon second reading.

Senator Soles calls the previous question, seconded by Senator Sharpe. The call is sustained.

The bill passes its second reading by roll-call vote, ayes 34, noes 8, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Barnes, Britt, Childers, Crawford, Daniels, Davis, Garrison, Hardison, Harrington, Harris, Henley, Hill, Lawing, Marion, Marvin, Palmer, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Soles, Stallings, Swain, Vickery, Webster, Whichard, White, and Wynne — 34.

Those voting in the negative are: Senators Ballenger, Gray, Kincaid, Mathis, McDuffie, Smith of New Hanover, Somers, and Winters — 8.

The bill remains on the Calendar upon third reading.

H. B. 1020, a bill to amend G. S. 153A-248 concerning the authority of a county to appropriate revenues, with a favorable report.

H. B. 1045, a bill to amend Chapter 160A of the General Statutes relating to annexation by municipalites in Pamlico County, with a favorable report.

H. B. 1165, a bill to provide four-year terms of office for the Mayor and Board of Comissioners for the Town of Mount Olive, with a favorable report.

H. B. 1212, a bill to grant the Town of Farmville the authority to apply its local ordinance for control of erosion and sedimentation within its extra-territorial jurisdiction, with a favorable report.

H. B. 1256, a bill to amend the Charter of the Town of Saratoga, with a favorable report.

H. B. 1310, a bill to validate the recording of certain maps in Yadkin County, with a favorable report, as amended.

By Senator Webster for the **Public Utilities and Energy Committee:**

S. B. 572, a bill to amend Chapter 62 of the General Statutes to restate and clarify the declaration of policy of the State for regulation of public utilities, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Webster, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S. B. 573, a bill to amend Chapter 62 of the General Statutes to provide an expeditious procedure for appeal of decisions of the Utilities Commission to the Supreme Court, with an unfavorable report.

S. B. 574, a bill to amend Chapter 62 of the General Statutes to clarify procedures for construction, determining need for and type of new electric generation facilities, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Webster, the rules are suspended and the Commitee Substitute bill is placed on today's Calendar.

By Senator Henley for the **Rules and Operation of the Senate Committee:**

H. J. R. 865, a joint resolution commending the Harnett County Historical Society for its efforts to further the preservation, restoration, and maintenance of the homeplace of Dr. and Mrs. James Archibald Campbell, which is situated on the grounds of Campbell College in Buies Creek, with a favorable report.

H. J. R. 1022, a joint resolution urging the Congress to take appropriate action to override the Food and Drug Administration's decision to ban the use of saccharin, with a favorable report.

H. J. R. 1178, a joint resolution urging the Congress of the United States to amend H. B. 4287 and S. B. 717 so as to permit continued State-administration of the Federal Mine and Quarry Safety Program, with a favorable report.

By Senator Whichard for the **State Government Committee:**

S. B. 692, a bill relating to the acquisition of works of art for State buildings, with a favorable report, as amended.

On motion of Sentaor Whichard, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion Committee Amendment No. 1 is adopted.

On motion of Senator Whichard, the bill, as amended, is re-referred to the **Appropriations Committee.**

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Kincaid:

S. B. 794, a bill to increase filing fees for securities registration statements, securities dealers, and securities salesmen.

Referred to **Finance Committee.**

By Senator Kincaid:

S. B. 795, a bill to increase license fees for premium finance companies, collection agencies, and motor clubs.

Referred to **Finance Committee.**

By Senators Whichard and Royall:

S. B. 796, a bill to appropriate funds to the Administrative Office of the Courts for an additional deputy clerk and equipment in the Office of Clerk of Superior Court in Granville County.

Referred to **Appropriations Committee.**

By Senators Sharpe, Raynor, Jordan, Hardison, Henley, Whichard, Popkin, Winters, Garrison, Scott, Wynne, Harrington, Hill, Smith of Guilford, Combs, Vickery, Marvin, Walker, Swain, Soles, Palmer, Barnes, Gray, and Sebo:

S. B. 797, a bill to amend G. S. 143B-267 to reorganize the Parole Commission of the Department of Correction by allowing the Governor to appoint in his discretion a commission consisting of three members, and to further define the duties of the Parole Commission and the Secretary of Correction.

Referred to **Special Committee on Ways and Means.**

On motion of Senator Mathis, the rules are suspended to allow the reference to Committee of the following bill filed for introduction.

By Senators Mathis, Jordan, Wynne, Sharpe, Raynor, Marvin, Vickery, Walker, and Palmer:

S. B. 806, a bill to appropriate funds for mental retardation programs.

Referred to the **Appropriations Committee.**

CONFERENCE REPORT

S. B. 213, House Committee
Substitute for S. B. 213

Senator Henley, for the Conferees appointed to consider the differences arising between the Senate and House of Representatives upon S. B. 213, House Committee Substitute for S. B. 213, a bill to change the members of the Board of Transportation, to abolish the Secondary Roads Council and to make other changes in the laws relating to the Department of Transportation, submits the following report:

To the President of the Senate and the Speaker of the House of Representatives:

We, your conferees, appointed to resolve the differences between the Senate and House of Representatives on S. B. 213, House Committee Substitute for S. B. 213, a bill to change the members of the Board of Transportation, to abolish the Secondary Roads Council and to make other

changes in the laws relating to the Department of Transportation, wish to report as follows:

The Conference Committee recommends that House Committee Substitute to S. B. 213 adopted May 6, 1977, be changed to read as follows:

Amend on Page 4, Line 8: by deleting the numeral "20" and inserting in lieu thereof the numeral "21";

Further amend on Page 4, Line 10: by deleting the word "six" and inserting in lieu thereof the word "seven";

Further amend on Page 4, Line 11: by inserting after the sentence ending with the word "large." a new sentence to read as follows: "One at large member shall be a registered voter of a political party other than the political party of the Governor."

Further amend on Page 4, Line 21: By deleting the word "three" and inserting in lieu thereof the word "two";

Further amend on Pages 4 and 5, Line 27 (on page 4) thru Line 5 (on page 5): Following the word "Representative" delete through the word "thereafter."

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 31st day of May, 1977.

J. J. HARRINGTON
JOHN T. HENLEY
MARSHALL RAUCH
Conferees on the part of the Senate

DAVID W. BUMGARDNER, JR.
THOMAS B. HUNTER
ALLEN ADAMS
Conferees on the part of the House of Representatives

On motion of Senator Henley, the Conference Report is adopted and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S. B. 213, House Committee Substitute for S. B. 213

HOUSE OF REPRESENTATIVES,
June 1, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on

June 1, 1977

S. B. 213, House Committee Substitute for S. B. 213, a bill to change the members of the Board of Transportation, to abolish the Secondary Roads Council and to make other changes in the laws relating to the Department of Transportation, to the end that when a similar action has been taken on the part of the Senate, you may order the bill enrolled.

Respectfully,
GRACE A. COLLINS
Principal Clerk

The House Committee Substitute bill for S. B. 213 is ordered enrolled.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S. B. 229, House Committee Substitute for Senate Committee Substitute for S. B. 229, a bill to amend General Statutes Chapter 62 to provide for a Public Staff in the Utilities Commission to represent the using and consuming public, for concurrence in the House Committee Substitute for Senate Committee Substitute S. B. 229, which is placed on the Calendar for Thursday, June 2.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 83, Committee Substitute for S. B. 83, a bill to amend G. S. 95-87 by raising the State minimum wage to two dollars and thirty cents per hour, for concurrence in the House amendments which is placed on the Calendar for June 2.

H. B. 308, a bill to amend Articles 14A through 14L of Chapter 54 of the General Statutes, relating to credit unions.
Referred to **Banking Committee.**

H. B. 323, Committee Substitute for H. B. 323, a bill to reenact G. S. 24-1.1A removing the interest rate ceiling on home loans secured by first mortgages or deeds of trust without a time limit.
Referred to **Banking Committee.**

H. B. 440, Committee Substitute for H. B. 440, a bill to require special permits for movement on public roads in Mitchell and Avery Counties of mobile or modular homes of a width in excess of 12 feet and further to prohibit such movement on certain designated public roads in those Counties.
Referred to **Judiciary I Committee.**

H. B. 728, a bill to amend the Workmen's Compensation Act regarding compensation for disfigurement and loss of important organs or parts of the body.

Referred to **Manufacturing, Labor and Commerce Committee.**

H. B. 990, Committee Substitute for **H. B. 990**, a bill to make amendments to the Motor Vehicle Dealers and Manufacturers Licensing Law.

Referred to **Manufacturing, Labor and Commerce Committee.**

H. B. 1097, a bill to amend G. S. 160A-288 to allow increased mutual assistance between law enforcement agencies.

Referred to **Law Enforcement and Crime Control Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

SPECIAL ORDER NO. 1

H. B. 205

The hour having arrived for the consideration of Special Order No. 1, the President of the Senate lays before the Senate Special Order No. 1, it being **H. B. 205**, a bill to provide for annual testing in the public schools in order to assess the effectiveness of the educational process, as amended.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendments.

S. B. 195, Committee Substitute for **S. B. 195**, a bill to amend G. S. 20-179(a) to increase the punishment for driving under the influence of intoxicating liquor, narcotic drugs, or other impairing drugs and to amend G. S. 15A-511(a)(3) relating to a defendant's appearance before a magistrate.

On motion of Senator Britt, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Friday, June 3.

S. B. 263, Committee Substitute for **S. B. 263**, a bill to amend G. S. 93-12 to increase the educational requirement and broaden the work experience requirement.

On motion of Senator Smith of New Hanover, the Committee Substitute bill is recommitted to the **Judiciary I Committee.**

S. B. 350, a bill to amend G. S. 6-21 relating to cost in civil actions.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 364, a bill to amend certain sections of G. S. Chapter 110 which relate to child labor regulations by removing sex discrimination provisions.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

June 1, 1977

S. B. 365, a bill to construe "juvenile" as any person who has not reached his eighteenth birthday in applying for the return of a runaway.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 385, a bill to authorize municipalities to create public transportation authorities, for concurrence in the House amendments.

On motion of Senator Vickery, the Senate concurs in the House amendments and the bill is ordered enrolled.

S. B. 473, Committee Substitute No. 2 for S. B. 473, a bill to amend the Constitution and the General Statutes of North Carolina changing the method of selection of members of the State Board of Education and making the office of Superintendent of Public Instruction appointive.

On motion of Senator Renfrow, Committee Substitute bill No. 2 is adopted, and on his further motion is placed on the Calendar for Friday, June 3.

S. B. 568, a bill to amend G. S. 7A-273 relating to the power of magistrates in criminal actions relating to worthless checks, upon third reading.

The bill passes its third reading and is ordered sent to the House of Representatives.

S. B. 572, Committee Substitute for S. B. 572, a bill to amend Chapter 62 of the General Statutes to restate and clarify the declaration of policy of the State for regulation of public utilities.

On motion of Senator Webster, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Friday, June 3.

S. B. 574, Committee Substitute for S. B. 574, a bill to amend Chapter 62 of the General Statutes to clarify procedures for construction, determining need for and type of new electric generation facilities.

On motion of Senator Webster, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Friday, June 3.

S. B. 577, a bill to permit the creation of county water and sewer districts, the issuance of the bonds and notes of such districts, and the levy of taxes within such districts, for concurrence in the House amendment.

On motion of Senator Garrison, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 581, Committee Substitute for S. B. 581, a bill to correct inequities to nonresidents in computing net taxable income due the State of North Carolina and to make the law of the State of North Carolina regarding the same conform with the laws of adjoining states.

On motion of Senator Rauch, the Committee Substitute bill is adopted, and on his further motion is re-referred to the **Ways and Means Committee.**

S. B. 621, a bill to repeal G. S. 20-140(c) which provides that any person who drives after consuming an amount of intoxicating liquor which affects his driving shall be guilty of reckless driving and which provides that this offense shall be a lesser included offense of driving under the influence of intoxicating liquor.

The Chair sustains the point of order raised by Senator Swain on May 31. Pursuant to Rule 53, the bill lies upon the table.

S. B. 639, Committee Substitute for S. B. 639, a bill to increase the maximum length of combination vehicles operating upon the highways of the State, upon third reading.

Senator Daniels offers Amendment No. 2 which fails of adoption.

Senator Daniels offers Amendment No. 3 which fails of adoption.

Senator McDuffie offers Amendment No. 4.

Senator McDuffie calls the previous question, duly seconded. The call is sustained.

Amendment No. 4 fails of adoption.

Senator McDuffie offers Amendment No. 5 which is adopted.

Senator Harrington calls the previous question, duly seconded. The call is sustained.

The Committee Substitute bill, as amended, passes its third reading and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

Without objection, Senator Jordan is excused from voting for the stated reason: "Possible conflict of interest due to ownership of trucks."

S. B. 654, Committee Substitute for S. B. 654, a bill to reconstitute the Area Inmate Labor Commissions and the State Inmate Labor Commission.

On motion of Senator Smith of Guilford, the Committee Substitute bill is adopted, and on his further motion is placed on the Calandar for Friday, June 3.

S. B. 684, a bill to amend Article 2 of Chapter 20 of the General Statutes, the Uniform Driver's License Act.

Senator Soles offers Amendment No. 1 which is adopted.

The bill, as amended, is placed on the Calendar for tomorrow, June 2.

S. B. 733, Committee Substitute for S. B. 733, a bill to amend G. S. 90-64 to modify reciprocity requirements for pharmacists licensed by another state.

On motion of Senator Soles, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Friday, June 3.

S. B. 744, a bill to amend G. S. 18A-16 to provide for the selection of members of Scotland County ABC Board by the Board of County Commissioners.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 784, a bill to permit an individual detained under the reasonable belief that he is driving under the influence to request and be administered a breath test before his arrest.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 649, Committee Substitute for **H. B. 649,** a bill to amend 90-216.6 of the General Statutes of North Carolina relating to the disposition of unclaimed bodies.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 917, a bill to amend Chapter 841 of the Session Laws of 1955 relating to the establishing alcoholic beverage control stores in the City of High Point.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1000, a bill to amend G. S. 136-18 to authorize the Department of Transportation to condemn for improvements to State maintained secondary roads under certain conditions.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1008, a bill to amend G. S. 20-118(5) to clarify the exemption for trucks or other motor vehicles transporting supplies, material, equipment or products necessary in carrying out farming operations from penalties provided therein.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1125, a bill to amend Chapter 131 relating to public hospitals.

On motion of Senator Harris, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1126, a bill to amend Chapter 143B to conform to name changes of various North Carolina institutions.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1134, a bill to amend Article 11 of Chapter 33 relating to gifts to minors to broaden the category of those eligible to become a custodian for the purposes of that Article.

The bill passes its second and third readings and is ordered enrolled.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:30 P.M.

ONE HUNDRED SECOND DAY

SENATE CHAMBER,
Thursday, June 2, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Andrew Pickens, Pastor of Good Hope Baptist Church, Raleigh.

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Somers for tomorrow, June 3.

The President extends courtesies of the gallery to the Honorable Jeter L. Haynes, former Representative from Yadkin County, and to the Honorable Thurston Arledge, former Representative from Polk County.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Lawing for the **Banking Committee:**

S. B. 778, a bill requiring savings and loan and building and loan associations to furnish shareholders an annual financial statement, with a favorable report.

H. B. 948, a bill to clarify the Retail Installment Sales Act regarding security interests in property sold under revolving charge account contracts, with a favorable report.

By Senator Marion for the **Courts and Judicial Districts Committee:**

S. B. 88, a bill to amend G. S. 7A-69 to provide an investigatorial assistant to the District Attorney in the 30th Judicial District, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Marion, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S. B. 224, a bill to divide the Nineteenth Prosecutorial District into two new districts, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Marion, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

By Senator Stallings for the **Education Committee.**

S. B. 701, a bill to authorize local boards of education and the boards of trustees of community colleges and technical institutes to enter into agreements regarding the admission of public school students to community colleges and technical institutes, without prejudice.

On motion of Senator Stallings, the rules are suspended and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

H. B. 492, Committee Substitute for **H. B. 492,** a bill to repeal Articles 27 and 29 of Chapter 115 of the General Statutes and to enact Articles 27A and 29A to provide an expanded legal basis for secondary school vocational education, with a favorable report.

By Senator Rauch for the **Finance Committee:**

S. B. 4, a bill to amend General Statute 105-277.1(a)(2) to increase annual income allowable under the Homestead Tax Exemption, without prejudice.

On motion of Senator Rauch, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 431, a bill to provide for sales tax on stevedore equipment to be at the rate of one percent of the sales price, with a favorable report, as amended.

On motion of Senator Rauch, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion Committee Amendments No. 1 and No. 2 are adopted.

On motion of Senator Rauch, the bill, as amended, is re-referred to the **Special Ways and Means Committee.**

S. B. 468, Committee Substitute for **S. B. 468,** a bill to amend Chapter 96 of the General Statutes known as the Employment Security Law to conform with federal requirements, to make technical improvements and corrections, and to remove outdated and inconsistent provisions from the law, with a favorable report, as amended.

On motion of Senator Rauch, the Committee Substitute bill is placed on the Calendar for Monday, June 6.

S. B. 638, a bill to amend the fee which medical examiners receive for making investigations, with a favorable report.

On motion of Senator Rauch, the bill is re-referred to the **Appropriations Committee.**

H. B. 21, Committee Substitute for **H. B. 21,** a bill to amend G. S. 105-277.1(a)(2) to increase annual income allowable under the Homestead Tax Exemption, with a favorable report, as amended.

On motion of Senator Rauch, the rules are suspended and the Committee Substitute bill is placed before the Senate for immediate consideration, and on his further motion Committee Amendment No. 1 is adopted.

On motion of Senator Rauch, the Committee Substitute bill, as amended, is re-referred to the **Ways and Means Committee.**

By Senator Harris for the **Human Resources Committee:**

H. B. 680, a bill to amend the General Statutes to provide for freedom of choice by patients relating to psychological services, with a favorable report.

On motion of Senator Harris, the bill is re-referred to the **Appropriations Committee.**

H. B. 920, a bill to repeal G. S. 143B-151 and G. S. 143B-152 so as to abolish the Eugenics Commission, with a favorable report.

H. B. 1174, a bill to provide for one representative from each congressional district on the Social Services Commission, with a favorable report.

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 263, Committee Substitute for **S. B. 263,** a bill to amend G. S. 93-12 to increase the educational requirement and broaden the work experience requirement, with an unfavorable report as to Committee Substitute bill No. 1, favorable as to Committee Substitute bill No. 2.

On motion of Senator Allsbrook, the rules are suspended and the Committee Substitute bill No. 2 is placed on today's Calendar.

S. B. 759, a bill to amend the Sedimentation Pollution Control Act of 1973, G. S. 113A-50 et seq. to provide that actions for connection of civil penalties may be referred to the Attorney General in thirty days, with a favorable report.

S. B. 768, a bill to amend the Oil Pollution Control Act, with a favorable report.

By Senator Britt for the **Judiciary II Committee:**

S. B. 26, a bill to prohibit obstructing the administration of justice by picketing or parading, without prejudice.

On motion of Senator Britt, the rules are suspended and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 28, a bill to repeal the Habitual Offender Article of the Motor Vehicles Law, without prejudice.

On motion of Senator Britt, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 41, a bill to amend or repeal certain miscellaneous statutes that discriminate on the basis of sex in order to remove the discrimination, without prejudice.

On motion of Senator Britt, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 153, House Committee Substitute for **S. B. 153,** a bill to rewrite Chapter 36 of the General Statutes relating to trusts, with a favorable report.

S. B. 156, a bill to be known as the North Carolina Tender Offer Disclosure Act, without prejudice.

On motion of Senator Britt, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

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S. B. 201, a bill to amend G. S. 25-9-403(7), concerning the filing of a financing statement covering timber to be cut, without prejudice.

On motion of Senator Britt, the rules are suspended and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 205, a bill to amend G. S. 55B-7(b) of the General Statutes providing for the method of disposition of stock in a professional corporation upon the death or disqualification of such shareholder, without prejudice.

On motion of Senator Britt, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 303, a bill to repeal special provisions of the General Statutes exempting bicycles with helper motors from motor vehicle laws, without prejudice.

On motion of Senator Britt, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 353, a bill to amend Chapter 14 of the General Statutes to remove the presumption of coercion based solely on the marriage relationship, without prejudice.

On motion of Senator Britt, the rules are suspended and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 355, a bill to amend G. S. 14-320 relating to separating a child under six months from mother by changing the term "mother" to "parent legally entitled to custody of the child," without prejudice.

On motion of Senator Britt, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 366, a bill to make 18 the minimum age for service as an officer in the State Defense Militia for females as well as males, with a favorable report.

S. B. 412, a bill to amend the Workmen's Compensation Act regarding medical privilege, without prejudice.

On motion of Senator Britt, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 414, a bill to amend G. S. 97-2(15) of the Workmen's Compensation Act concerning the definition of widower, without prejudice.

On motion of Senator Britt, the rules are suspended and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 415, a bill to amend G. S. 97-38 of the Workmen's Compensation Act concerning proximate cause, without prejudice.

On motion of Senator Britt, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 521, a bill to amend G. S. 148-45(e) to provide that a sentence for escape shall commence at termination of any other sentences, without prejudice.

On motion of Senator Britt, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 648, a bill to amend the Bicycle and Bikeway Act of 1974 to further provide for the promotion, administration, and regulation of bicycle and bikeway activities in North Carolina, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Britt, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

S. B. 702, a bill relating to capacity to marry and permission therefor, with a favorable report, as amended.

S. B. 734, a bill to amend G. S. 14-234 to prohibit State officials and employees from participating in any business transaction involving public funds with a former employer or business associate, with a favorable report, as amended.

By Senator Speed for the **Natural and Economic Resources Committee:**

S. B. 478, a bill to amend the Mining Act of 1971, G. S. 74-46 et seq., with recommendation that it be postponed indefinitely.

On motion of Senator Speed, the rules are suspended and the bill is placed before the Senate for immediate consideration and on his further motion is postponed indefinitely.

S. B. 479, a bill to rewrite G. S. 113-36 relating to the proceeds from the sale of materials from the State forests, with recommendation that it be postponed indefinitely.

On motion of Senator Speed, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 681, a bill to acquire the Blockade Runner Museum and to establish a Blockade Runner Museum Commission, with a favorable report.

On motion of Senator Speed the bill is re-referred to the **Appropriations Committee.**

S. B. 741, a bill to amend the Dam Safety Law of 1967, G. S. 143-215.23 et seq. to remove the exemption of dams costing less than five thousand dollars and make certain technical corrections, with a favorable report.

H. B. 1123, a bill to make it unlawful to take clams on oyster rocks by use of rakes or tongs or any other device which will disturb oysters; and to

require the Department of Natural and Economic Resources to post oyster rocks to forbid the taking of clams in the above-described manner, with a favorable report, as amended.

By Senator Webster for the **Public Utilities and Energy Committee:**

S. B. 575, a bill to amend Chapter 62 of the General Statutes to restate and clarify the procedure for fixing public utility rates, with an unfavorable report as to bill, favorable as to Committee Substitute bill, with amendment.

On motion of Senator Webster, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S. B. 576, a bill to amend Chapter 62 of the General Statutes to require a hearing by the Commission in all general rate cases, and to establish a procedure for temporary emergency rate relief, with an unfavorable report.

S. B. 580, a bill to promote and encourage the conservation of energy by providing a tax credit for installation of solar hot water, heating and cooling systems, by providing a tax credit for installation of home insulation, storm windows and storm doors, by managing and controlling energy use by improved enforcement of the State building code insulation requirements, by reporting of available petroleum supplies, and by prohibiting the use of master meters for electricity and natural gas in new multi-unit residential dwelling units, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Webster, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions, are introduced, read the first time and disposed of as follows:

By Senator Gray:

S. B. 798, a bill to provide for the examination and licensong of social workers; to create a State Board of Examiners for Social Workers; to define the duties and powers of the Board; and to provide penalties for the violation of this Act.

Referred to **Human Resources Committee.**

By Senator Hill:

S. B. 799, a bill to amend Chapter 433 of the 1977 Session Laws which allows certain counties to increase their license tax levy on motor vehicles by deleting Transylvania County therefrom.

Referred to **Finance Committee.**

By Senator Hardison:

S. B. 800, a bill to amend G. S. 143-215.108(b) so as to modify environmental permit procedures.

Referred to **Natural and Economic Resources Committee.**

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By Senators Hardison, Childers, and Palmer:

S. B. 801, a bill to amend G. S. 136-6 to increase the membership of the Board of Trustees of the Teachers' and State Employees' Retirement System of North Carolina as recommended by the Legislative Research Commissions' Committee on Retirement Systems Matters.

Referred to **Special Committee on Ways and Means.**

By Senator Hardison:

S. B. 802, a bill to amend G. S. 143-215.3(a)(1) to require an economic impact statement on environmental regulations.

Referred to **Natural and Economic Resources Committee.**

By Senator Hardison:

S. B. 803, a bill to amend G. S. 143-215.107(a) so as to modify the method of establishing emission control standards.

Referred to **Natural and Economic Resources Committee.**

By Senator Hardison:

S. B. 804, a bill to amend G. S. 143-215.4(d)(6) and G. S. 143-215.15(f)(7) to change the burden of proof for permit denials and penalty assessments.

Referred to **Natural and Economic Resources Committee.**

By Senator Popkin:

S. B. 805, a bill to require protective procedures to be followed prior to disconnection of a customer from services provided by utilities.

Referred to **Public Utilities and Energy Committee.**

By Senators Smith of Guilford, Sebo, Mathis, Walker, McDuffie, Gray, Winters, Crawford, Wynne, Lake, Stallings, Alexander, Harrington, Britt, Kincaid, Totherow, Garrison, and Raynor:

S. B. 807, a bill to allow district court judges to require the parents or legal guardian of children adjudicated undisciplined, delinquent, dependent, or neglected to participate in counseling as specified.

Referred to **Judiciary I Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 124, Committee Substitute for H. B. 124, a bill to prohibit setting or using trap of leg-gripping or connibear type in Alleghany, Avery, Cleveland, Forsyth, Mitchell, Moore, Nash, Stokes, and Yadkin Counties.

Referred to **Wildlife Committee.**

H. B. 260, Committee Substitute for **H. B. 260,** a bill to increase the inheritance tax exemption for surviving spouses and to increase the amount of insurance proceeds exempt from inheritance tax.

Referred to **Finance Committee.**

H. B. 1115, a bill to increase the membership of the Private Protective Services Board.

Referred to **Law Enforcement and Crime Control Committee.**

H. B. 1153, a bill amending Chapter 159C of the General Statutes which authorizes counties to create authorities to issue bonds to finance industrial and pollution control projects, to revise the provisions thereof relating to eligibility requirements for appointment to an authority, to the average manufacturing wage requirement for industrial projects, to the taxation of projects and tax exemption of interest on bonds, to contracts for the acquisition and construction of projects, and to conflicts of interest, to add provisions permitting the subordination of bonds to other security interests and providing that the Local Government Budget and Fiscal Control Act shall not apply to authorities, and to repeal provisions requiring an annual audit.

Referred to **Finance Committee.**

H. B. 1265, a bill to amend the Community Development Law to authorize cities and counties to acquire property for the purpose of redevelopment.

Referred to **Judiciary I Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 20, Committee Substitute for **S. B. 20,** a bill to allow the keeping of a certain black bear in Carteret County by exempting the person who kept this black bear prior to July 1, 1975, from Article 2 of G. S. Chapter 19A.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 83, Committee Substitute for **S. B. 83,** a bill to amend G. S. 95-87 by raising the State minimum wage to two dollars and thirty cents per hour.

Senator Childers moves that the Senate do not concur and that the President appoint conferees.

Senator Smith of New Hanover offers a substitute motion that the Senate do concur in the House Amendments, which motion is held to be out of order.

The motion of Senator Childers not to concur and to appoint conferees fails to prevail.

Senator Smith of New Hanover raises a point of order relative to the status of the bill.

Senator Hardison moves that the Senate do now adjourn, which motion prevails.

A ruling on the point of order is deferred until tomorow, June 3.

S. B. 88, Committee Substitute for S. B. 88, a bill to amend G. S. 7A-69 to authorize investigatorial assistants in various judicial districts.

On motion of Senator Marion, the Committee Substitute bill is adopted, and on his further motion is re-referred to the **Appropriations Committee.**

S. B. 224, Committee Substitute for S. B. 224, a bill to divide the Fifteenth, Nineteenth, and Twenty-seventh Judicial Districts, and to create additional district attorneys, district court judges, and a public defender as required thereby.

On motion of Senator Marion, the Committee Substitute bill is adopted, and on his further motion is re-referred to the **Appropriations Committee.**

S. B. 229, House Committee Substitute for Senate Committee Substitute for S. B. 229, a bill to amend General Statutes Chapter 62 to provide for a Public Staff in the Utilities Commission to represent the using and consuming public.

The House Committee Substitute for the Senate Committee Substitute bill passes its second and third readings and is ordered enrolled.

S. B. 263, Committee Substitute No. 2 for S. B. 263, a bill to amend G. S. 93-12 to increase the educational requirement and broaden the work experience requirement.

On motion of Senator Allsbrook, the Committee Substitute No. 2 bill is adopted, and on his further motion is placed on the Calendar for Monday, June 6.

S. B. 460, Committee Substitute for S. B. 460, a bill providing for the review of administrative rules.

On motion of Senator Henley, Committee Amendment No. 1 is adopted.

Senator Henley offers Amendment No. 2 which is adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 575, Committee Substitute for S. B. 575, a bill to amend Chapter 62 of the General Statutes to restate and clarify the procedure for fixing public utility rates.

On motion of Senator Webster, the Committee Substitute bill is adopted, and on his further motion, is re-referred to the **Finance Committee** to be placed on the Calendar for Tuesday, June 7, with pending amendment.

S. B. 580, Committee Substitute for S. B. 580, a bill to promote and encourage the conservation of energy by providing a tax credit for installation of solar hot water, heating and cooling systems, by providing a tax credit for installation of home insulation, storm windows and storm doors, by managing and controlling energy use by improved enforcement of the State building code insulation requirements, by reporting of available petroleum supplies, and by prohibiting the use of master meters for electricity and natural gas in new multi-unit residential dwelling units.

On motion of Senator Webster, the Committee Substitute bill is adopted, and on his further motion is re-referred to the **Finance Committee** to be placed on the Calendar for Tuesday, June 7.

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S. B. 621, a bill to repeal G. S. 20-140(c) which provides that any person who drives after consuming an amount of intoxicating liquor which affects his driving shall be guilty of reckless driving and which provides that this offense shall be a lesser included offense of driving under the influence of intoxicating liquor.

Senator Smith of Guilford moves that the bill, tabled by the ruling of the President yesterday be taken from the table and placed before the Senate for immediate consideration.

Senator Hardison offers a substitute motion, that the motion to take the bill from the table and place it before the Senate for immediate consideration do lie upon the table, which motion prevails. The bill remains upon the table.

S. B. 626, a bill to amend G. S. 20-16.2 requiring a breathalyzer refusal to be willful and unreasonable.

Senator Swain calls the previous question, duly seconded. The call is sustained.

The bill fails to pass its second reading.

S. B. 648, Committee Substitute for S. B. 648, a bill to amend the Bicycle and Bikeway Act of 1974 to further provide for the promotion, administration, and regulation of bicycle and bikeway activities in North Carolina.

On motion of Senator Britt, the Committee Substitute bill is adopted, and on his further motion is re-referred to the **Appropriations Committee.**

S. B. 684, a bill to amend Article 2 of Chapter 20 of the General Statutes, the Uniform Driver's License Act, as amended.

Senator Soles calls the previous question, duly seconded. The call is sustained.

The bill, as amended, passes its second reading.

On objection of Senator Harris to its third reading the bill remains on the Calendar.

S. B. 691, a bill to amend G. S. 116-36, concerning endowment funds for constituent institutions of the University of North Carolina.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 780, a bill to change the western boundary line of the Town of Alliance, upon second reading.

The bill passes its second reading by roll-call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Henley, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 44.

The bill remains on the Calendar, upon third reading.

S. B. 793, a bill to amend Chapter 415, Session Laws of 1977, relating to the Civil Service Commission of the City of Asheville.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 227, Committee Substitute for **H. B. 227**, a bill rewriting Article 20 of Chapter 163 of the General Statutes.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 573, Committee Substitute for **H. B. 573**, a bill relating to raffles and the game of bingo in Mecklenburg, Buncombe, and Alamance Counties.

On motion of Senator Soles, Committee Amendment No. 1 is adopted.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives, without objection, for concurrence in the Senate amendment, by special messenger.

H. B. 606, a bill to amend G. S. 20-141 to define the degree of liability placed upon a motorist who fails to stop his vehicle within the radius of its headlights or the range of his vision.

The bill passes its second and third readings and is ordered enrolled.

H. B. 620, Committee Substitute for **H. B. 620**, a bill to prohibit the use of steel traps in Cumberland County.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 672, a bill to exclude Randolph County from the provisions regulating the practice of cosmetology.

The bill passes its second and third readings and is ordered enrolled.

H. B. 741, a bill to revise and consolidate the Charter of the City of Wilmington, upon second reading.

Senator Smith of New Hanover offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading by roll-call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Lake, Lawing, Marion, Marvin, Palmer, Raynor, Renfrow, Royall, Scott, Sharpe, Smith of Guilford, Smith of New Hanover, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Whichard, White, Winters, and Wynne — 40.

The bill, as amended, remains on the Calendar upon third reading.

H. B. 850, a bill to incorporate the Town of Beech Mountain South, upon third reading.

On motion of Senator Soles, the bill is recommitted to the **Local Government and Regional Affairs Committee.**

H. J. R. 865, a joint resolution commending the Harnett County Historical Society for its efforts to further the preservation, restoration, and

maintenance of the homeplace of Dr. and Mrs. Archibald Campbell, which is situated on the grounds of Campbell College in Buies Creek.

The joint resolution passes its second and third readings and is ordered enrolled.

H. B. 927, Committee Substitute for **H. B. 927,** a bill to authorize savings and loan associations to utilize off-premises electronic information and funds transfer terminals.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 1020, a bill to amend G. S. 153A-248 concerning the authority of a county to appropriate revenues.

The bill passes its second and third readings and is ordered enrolled.

H. J. R. 1022, a joint resolution urging the Congress to take appropriate action to override the Food and Drug Administration's decision to ban the use of saccharin.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1040, a bill to amend G. S. 163-302 relating to municipal elections to clarify period for absentee ballot.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1045, a bill to amend Chapter 160A of the General Statutes relating to annexation by municipalities in Pamlico County, upon second reading.

The bill passes its second reading by roll-call vote, ayes 37, noes 7, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Hardison, Harrington, Harris, Henley, Jordan, Kincaid, Lake, Marion, Marvin Popkin, Rauch, Renfrow, Royall, Scott, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 37.

Those voting in the negative are: Senators Alexander, Ballenger, Crawford, Gray, Lawing, McDuffie, and Palmer — 7.

The bill remains on the Calendar upon third reading.

H. B. 1165, a bill to provide four-year terms of office for the Mayor and Board of Commissioners for the Town of Mount Olive.

The bill passes its second and third readings and is ordered enrolled.

H. J. R. 1178, a joint resolution urging the Congress of the United States to amend H. B. 4287 and S. B. 717 so as to permit continued State-administration of the Federal Mine and Quarry Safety Program.

The joint resolution passes its second and third readings and is ordered enrolled.

H. B. 1212, a bill to grant the Town of Farmville the authority to apply its local ordinance for control of erosion and sedimentation within its extra-territorial jurisdiction.

The bill passes its second and third readings and is ordered enrolled.

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H. B. 1256, a bill to amend the Charter of the Town of Saratoga, upon second reading.

The bill passes its second reading by roll-call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Allsbrook, Alford, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Lawing, Marion, Marvin, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 43.

The bill remains on the Calendar upon third reading.

H. B. 1310, a bill to validate the recording of certain maps in Yadkin County.

On motion of Senator Soles, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 213, Senate Committee Substitute for House Committee Substitute for S. B. 213, an act to change the members of the Board of Transportation, to abolish the Secondary Roads Council and to make other changes in the laws relating to the Department of Transportation.

S. B. 385, an act to authorize municipalities to create public transportation authorities.

S. B. 577, a bill to permit the creation of county and water sewage districts, the issuance of the bonds and notes of such districts, and the levy of taxes within such districts.

H. B. 649, Committee Substitute for H. B. 649, an act to amend 90-216.6 of the General Statutes of North Carolina relating to the disposition of unclaimed bodies.

H. B. 917, an act to amend Chapter 841 of the Session Laws of 1955 relating to the establishing alcoholic beverage control stores in the City of High Point.

H. B. 1000, an act to amend G. S. 136-18 to authorize the Department of Transportation to condemn for improvements to State maintained secondary roads under certain conditions.

H. B. 1008, an act to amend G. S. 20-118(5) to clarify the exemption for trucks or other motor vehicles transporting supplies, material, equipment or

products necessary in carrying out farming operations from penalties provided therein.

H. B. 1126, an act to amend Chapter 143B to conform to name changes of various North Carolina institutions.

H. B. 1134, an act to amend Article 11 of Chapter 33 relating to gifts to minors to broaden the category of those eligible to become a custodian for the purposes of that Article.

Pursuant to the motion of Senator Hardison, the Senate adjourns to meet tomorrow at 10:00 A.M.

ONE HUNDRED THIRD DAY

SENATE CHAMBER,
Friday, June 3, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. T. L. Cashwell, Pastor of Hayes Barton Baptist Church, Raleigh.

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

A leave of absence previously granted to Senator Somers is noted.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Lawing for the **Banking Committee:**

H. B. 998, a bill amending G. S. 24-14 relating to loans secured by secondary or junior mortgages, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Lawing, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

By Senator Stallings for the **Education Committee:**

H. B. 204, a bill providing for the adoption and use of tests to assure that high school graduates possess skills and knowledge necessary to function in society, with a favorable report, as amended.

By Senator Rauch for the **Finance Committee:**

S. B. 597, a bill to allow deductions for individual income tax purposes for contributions made by an individual for the benefit of himself and his spouse to individual retirement accounts, individual retirement annuities, or individual retirement bonds which are deductible for federal income tax purposes, and to exempt from inheritance tax distributions from such retirement plans which are excluded from the decedent's gross estate for federal estate tax purposes, and to make other technical amnedments to Chapter 105, without prejudice.

On motion of Sentaor Rauch, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 649, a bill to amend G. S. 15-15 to allow for supplementary funding of local bicycle and bikeway programs, with a favorable report.

S. B. 650, a bill to authorize the use of Powell Bill Funds for bikeway purposes, with a favorable report.

On motion of Senator Rauch, the bill is re-referred to the **Ways and Means Committee.**

H. B. 1052, a bill to allow deductions for individual income tax purposes for contributions made by an individual for the benefit of himself and his spouse to individual retirement accounts, individual retirement annuities, or individual retirement bonds which are deductible for federal income tax purposes, and to exempt from inheritance tax distributions from such retirement plans which are excluded from the decedent's gross estate for federal estate tax purposes, and to make other technical amendments to Chapter 105, with a favorable report.

On motion of Senator Rauch the bill is re-referred to the **Ways and Means Committee.**

H. B. 1194, a bill to modify the provisions of Article 4A of G. S. Chapter 160A, regarding the proration of municipal taxes upon annexation, with a favorable report, as amended.

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 239, a bill to amend the laws relating to criminal procedure, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Allsbrook, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

S. B. 757, a bill to amend certain provisions of the law relating to the Battleship Commission, with a favorable report.

S. B. 758, a bill to amend the Mining Act of 1971, G. S. 74-46 et seq. to provide certain clarifying and technical amendments, with a favorable report.

By Senator Royall for the **Ways and Means Committee:**

S. B. 642, a bill to amend Article 4 of the Revenue Act relative to income tax to provide a credit for ad valorem tax paid on manufacturers' inventory, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senators Renfrow, Wynne, Jordan, Alexander, Vickery, Sebo, Smith of Guilford, and Whichard:

S. B. 808, a bill to add the president of the student government or the chairman of the executive board of the student body of each community college, technical institute, and industrial education center established pursuant to G. S. 115-A to the board of trustees of said institutions as *ex officio* voting members.

Referred to **Special Committee on Ways and Means.**

By Senator Hardison:

S. B. 809, a bill to create a Youth Services Advisory Committee, to abolish the Commission of Youth Services and the Technical Advisory Committee, and to make conforming and technical corrections in the General Statutes.

Referred to **Human Resources Committee.**

By Senator Hardison:

S. B. 810, a bill to appropriate funds to the Division of Prisons, Department of Correction, for the purpose of continuing a program of education for prisoners and for their rehabilitation.

Referred to **Appropriations Committee.**

By Senator Scott:

S. B. 811, a bill to change the membership of the Council on Developmental Disabilities so as to conform to federal law.

Referred to **Human Resources Committee.**

By Senator Sebo:

S. B. 812, a bill to provide compensation for victims of crime.

Referred to **Judiciary II Committee.**

By Senators Wynne, Sharpe, Winters, Lake, Soles, Ballenger, Palmer, Swain, Barnes, Childers, Britt, Smith of New Hanover, Smith of Guilford, Somers, Walker, Raynor, Sebo, Crawford, Jordan, Mathis, Harrington, Vickery, Davis, Combs, Daniels, Henley, Scott, Popkin, Marion, Lawing, Garrison, McDuffie, Alexander, Totherow, and Royall:

S. R. 813, a Senate resolution directing the Legislative Research Commission to study revision and recodification of Chapter 115A of the General Statutes, entitled "Community Colleges, Technical Institutes, and Industrial Education Centers."

Referred to **Higher Education Committee.**

By Senator Crawford:

S. B. 814, a bill to clarify qualification of veterans in using service time for State retirement purposes.

Referred to **Special Committee on Ways and Means.**

By Senator Crawford:

S. B. 815, a bill to create a Western North Carolina Museum of History and to establish a Western North Carolina Office of the Division of Archives and History, Department of Cultural Resources.

Referred to **Ways and Means Committee.**

By Senator Daniels:

S. B. 816, a bill to create the Wanchese Harbor Citizens Advisory Council, and to establish the duties and responsibilities of the Council.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Vickery:

S. B. 817, a bill to amend G. S. 160A-360 to provide for use of current population of municipalities in determining planning jurisdiction.

Referred to **Special Committee on Ways and Means.**

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. B. 573, Committee Substitute for H. B. 573

HOUSE OF REPRESENTATIVES
June 2, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate amendment to H. B. 573, Committee Substitute for H. B. 573, a bill relating to raffles and the game of bingo in Mecklenburg, Buncombe, and Alamance Counties, and requests conferees. The Speaker has appointed Representatives Spoon, Helms, and Morris on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,
GRACE A. COLLINS
Principal Clerk

June 3, 1977

Senator Soles moves that the President appoint conferees, which motion prevails. The President appoints Senators Lawing, Soles, and Winters as conferees on the part of the Senate and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 497, a bill to provide for the nomination and election of the Buncombe County Board of Education, for concurrence in the House amendment which is placed on the Calendar for Monday, June 6.

H. B. 100, Committee Substitute for **H. B. 100,** a bill to amend the Constitution of North Carolina to insure the continuation of the policy of a balanced budget.

Referred to **Constitutional Amendments Committee.**

H. B. 774, a bill to regulate hunting in Burke and Caldwell Counties.

Referred to **Wildlife Committee.**

H. B. 1266, Committee Substitute for **H. B. 1266,** a bill to provide that all sessions of superior and district court of Brunswick County shall be held in the new county seat of Brunswick County.

Referred to **Courts and Judicial Districts Committee.**

H. B. 1275, a bill to repeal Chapter 1073 of the 1951 Session Laws relating the publication of certain records in Sampson County.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 1294, a bill to prohibit hunting in Sam Brown Park in Alleghany County.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 1295, a bill relating to the game of "bingo" in Chowan County.

Referred to **Local Government and Regional Affairs Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 83, Committee Substitute for **S. B. 83,** a bill to amend G. S. 95-87 by raising the State minimum wage to two dollars and thirty cents per hour, for concurrence in the House amendments.

Senator Smith of New Hanover moves that the Senate do concur in the House amendments.

Senator Renfrow moves that the bill be re-referred to the **Appropriations Committee,** which the Chair rules out of order.

Senator Smith of New Hanover calls the previous question, duly seconded. The call is sustained.

The motion to concur prevails.

S. B. 239, Committee Substitute for S. B. 239, a bill to amend the laws relating to criminal procedure.

On motion of Senator Allsbrook, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Tuesday, June 7.

S. B. 642, a bill to amend Article 4 of the Revenue Act relative to income tax to provide a credit for ad valorem tax paid on manufacturers' inventory.

On motion of Senator Garrison, Committee Amendment No. 1 is adopted.

Senator Winters offers Amendment No. 2.

Senator Garrison calls the previous question, duly seconded. The call is sustained.

Amendment No. 2 fails of adoption.

Senator Garrison calls the previous question, duly seconded. The call is sustained.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger without engrossment.

The following Senators are excused from voting for the stated reasons:

Senator Rauch: "Bill is on manufacturers inventory tax. My main income comes from manufacturing."

Senator Harrington: "Conflict of interest."

Senator Jordan: "Conflict."

Senator White: "Conflict of interest."

Senator Ballenger: "It will financially benefit me."

H. B. 998, Senate Committee Substitute for H. B. 998, a bill amending G. S. 24-14 relating to loans secured by secondary or junior mortgages.

On motion of Senator Lawing, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Tuesday, June 7.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 229, House Committee Substitute for Committee Substitute for S. B. 229, an act to amend General Statutes Chapter 62 to provide for a Public Staff in the Utilities Commission to represent the using and consuming public.

H. B. 227, Committee Substitute for H. B. 227, an act rewriting Article 20 of Chapter 163 of the General Statutes.

H. B. 606, an act to amend G. S. 20-141 to define the degree of liability placed upon a motorist who fails to stop his vehicle within the radius of its headlights or the range of his vision.

June 3, 1977

H. B. 620, Committee Substitute for **H. B. 620,** an act to prohibit the use of steel traps in Cumberland County.

H. B. 672, an act to exclude Randolph County from the provisions regulating the practice of cosmetology.

H. B. 927, Committee Substitute for **H. B. 927,** an act to authorize savings and loan associations to utilize off-premises electronic information and funds transfer terminals.

H. B. 1020, an act to amend G. S. 153A-248 concerning the authority of a county to appropriate revenues.

H. B. 1040, an act to amend G. S. 163-302 relating to municipal elections to clarify period for absentee ballot.

H. B. 1125, an act to amend Chapter 131 relating to public hospitals.

H. B. 1165, an act to provide four-year terms of office for the Mayor and Board of Commissioners for the Town of Mount Olive.

H. B. 1212, an act to grant the Town of Farmville the authority to apply its local ordinance for control of erosion and sedimentation within its extra-territorial jurisdiction.

On motion of Senator Henley, the Senate adjourns to meet Monday at 7:00 P.M.

ONE HUNDRED FOURTH DAY

SENATE CHAMBER,
Monday, June 6, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Honorable Bobby Lee Combs, Senator from Catawba County.

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of Friday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Winters for tonight.

The President recognizes the following pages serving in the Senate this week: Keith Axson, Burlington; Leonard Blum, Asheville; Linda Browning, Jacksonville; Pam Burch, Hayesville; Julie Cates, Hillsborough; Mary Cates, Hillsborough; Liz Colvard, Raleigh; Deborah Davis, Raleigh; Dave Dillard,

Graham; Mac Efird, Wilmington; Stephanie Fields, Raleigh; Valda Gibson, Fayetteville; Sally Hadden, Wilmington; Terry Harris, Zebulon; Tina Johns, Apex; Robert Jordan, Mt. Gilead; Laura Lake, Raleigh; Nanette Montgomery, Gastonia; Arun Prasad, Raleigh; Rita Prasad, Raleigh; Stephanie Rauch, Gastonia; Craig Sappenfield, Forest City; Alice Sheridan, Raleigh; Richard Sheridan, Raleigh; Liz Sylvester, Jacksonville; Betsy Tuttle, Madison; Jim Wall, Raleigh; Doug Warner, Elizabethtown; and Kitty White, Allendale.

S. B. 83, Committee Substitute for **S. B. 83**, a bill to amend G. S. 95-87 by raising the State minimum wage to two dollars and fifty cents per hour.

Senator Webster moves that the vote by which the Senate concurred in the House amendments be reconsidered, which motion prevails.

Senator Smith of New Hanover moves that the President appoint conferees, which motion prevails. The President appoints Senators Childers, Smith of New Hanover, and Webster as conferees on the part of the Senate and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

S. B. 575, Committee Substitute for **S. B. 575**, a bill to amend Chapter 62 of the General Statutes to restate and clarify the procedure for fixing public utility rates.

On motion of Senator Rauch, the rules are suspended and the Committee Substitute bill is taken from the **Finance Committee** and is placed on the Calendar for Tuesday, June 7.

H. B. 739, a bill to amend G. S. 97-83 of the Workmen's Compensation Act concerning Industrial Commission hearings.

On motion of Senator Hardison, the rules are suspended, and the bill is taken from the **Appropriations Committee** and re-referred to the **Manufacturing, Labor and Commerce Committee.**

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hardison for the **Appropriations Committee:**

S. B. 486, a bill to increase public sector representation on the Mine Safety and Health Advisory Council, with a favorable report, as amended.

H. B. 331, a bill to amend the Uniform Boll Weevil Eradication Act, Article 4F of Chapter 106, with a favorable report, as amended.

H. B. 489, Committee Substitute for **H. B. 489**, a bill to amend Article V of the Constitution of North Carolina to authorize municipalities owning or operating electric systems and joint agencies composed of such municipalities to jointly or severally own, operate and maintain electric generation and transmission facilities with any person, firm, association or corporation, public or private, engaged in the generation, transmission or distribution

of electric power and energy for resale within this State or any contiguous state, and to issue revenue bonds to finance the cost thereof, subject to the approval of the electorate, with a favorable report, as amended.

H. B. 506, a bill to provide for four additional members on the Emergency Medical Services Advisory Council, with a favorable report, as amended.

H. B. 624, a bill to expand the Youth Advisory Council and to provide for the terms of members of the Council, with a favorable report, as amended.

H. B. 680, a bill to amend the General Statutes to provide for freedom of choice by patients relating to psychological services, with a favorable report, as amended.

H. B. 1006, a bill to reorganize the Marine Fisheries Commission and the Commercial and Sports Fisheries Committee, with a favorable report, as amended.

H. B. 1034, a bill to expand the membership and powers of the North Carolina Historical Commission, with a favorable report, as amended.

By Senator Lawing for the **Banking Committee:**

S. B. 558, a bill relating to the charges or interest which may be charged with respect to open-end accounts, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Lawing, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

By Senator Britt for the **Judiciary II Committee:**

S. B. 368, a bill to amend G. S. 147-32 relating to compensation for widows of Governors to make the law applicable to all surviving spouses, with a favorable report.

S. B. 439, a bill repealing the criminal offense of public drunkenness and granting authority to assist persons who become intoxicated in public, with a favorable report, as amended.

H. B. 729, a bill to amend the Workmen's Compensation Act regarding medical privilege, with a favorable report, as amended.

H. B. 995, Committee Substitute for **H. B. 995**, a bill to set the speed limit for buses transporting children with special needs, with a favorable report, as amended.

On motion of Senator Britt, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion Committee Amendment No. 1 is adopted.

On motion of Senator Britt, the bill, as amended, is re-referred to the **Appropriations Committee.**

H. B. 1065, Committee Substitute for **H. B. 1065**, a bill to amend G. S. 75-27 so that a person who receives unsolicited goods may treat them as a

gift and is under no obligation to pay for the unsolicited goods, with a favorable report.

By Senator Combs for the **Wildlife Committee:**

H. B. 612, a bill to repeal the prohibition against hunting in the snow in Davie County, with a favorable report.

H. B. 631, a bill to amend the law regulating the manner of taking game to make it applicable to Wayne County, with a favorable report.

H. B. 710, a bill to prohibit the hunting of deer on the Outer Banks in Currituck County, with a favorable report.

H. B. 786, a bill to delete Alleghany County from the "no closed season" provisions of G. S. 113-111, with a favorable report.

H. B. 1089, a bill to amend G. S. 113-100 to provide that buffalo be exempted from "no open season" status for game hunting purposes, with a favorable report.

H. B. 1196, a bill to amend Chapter 167 of the 1977 Session Laws to prevent the use of artificial lights in areas inhabited by game in Rowan County, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Vickery:

S. J. R. 818, a joint resolution creating a commission for the study of the North Carolina motor vehicle laws.

Referred to **Rules and Operation of the Senate Committee.**

By Senator Lawing:

S. B. 819, a bill to allow the Secretary of Human Resources to set the amounts of fees collected for certified copies of certain vital statistics records, and to set the amounts of fees for public water supply examinations.

Referred to **Special Committee on Ways and Means.**

By Senators Garrison and Jordan:

S. B. 820, a bill to authorize the levy of punitive damages against any person, firm or corporation that willfully or negligently burns another's timber.

Referred to **Judiciary I Committee.**

By Senator Stalings:

S. B. 821, a bill to amend Article 26 of Chapter 58 of the General Statutes to provide individual comprehensive health insurance.

Referred to **Insurance Committee.**

By Senator Smith of New Hanover:

S. J. R. 822, a joint resolution to provide for a study by the Legislative Research Commission concerning the financing of water resources development projects.

Referred to **Rules and Operation of the Senate Committee.**

By Senators Swain, Hill, Soles, and Barnes:

S. B. 823, a bill to provide for the mechanical recording of court proceedings in the superior and district courts and to appropriate funds for such recording.

Referred to **Judiciary I Committee.**

CONFERENCE REPORT

H. B. 573, Committee
Substitute for H. B. 573

Senator Lawing, for the Conferees appointed to consider the differences arising between the Senate and House of Representatives upon **H. B. 573,** Committee Substitute for **H. B. 573,** a bill relating to raffles and the game of bingo in Mecklenburg, Buncombe, and Alamance Counties, submits the following report:

To the President of the Senate and the Speaker of the House of Representatives:

We, the Conferees appointed to consider and resolve the differences between the two Bodies with respect to **H. B. 573,** Committee Substitute for **H. B. 573,** a bill relating to raffles and the game of bingo in Mecklenburg, Buncombe, and Alamance Counties, respectfully report that we have conferred and agreed as follows:

The Senate Amendment No. 1 be changed to read as follows:

The bill is amended on page 2, line 27, by rewriting to read as follows: "counties: Alamance, Buncombe, McDowell, and Mecklenburg."

Further that the bill be amended on page 1, lines 2 and 3, by deleting the word and punctuation "Mecklenburg," in line 2, and all of line 3, and substituting in lieu thereof the following: "Alamance, Buncombe, McDowell, and Mecklenburg Counties."

And, to this end, we the said Conferees, recommend that the House of Representatives and the Senate adopt this Conference Report.

This the 3rd day of June, 1977.

W. CRAIG LAWING
R. C. SOLES
JOHN W. WINTERS
Conferees on the part of the Senate

LEROY P. SPOON
H. PARKS HELMS
GLENN A. MORRIS
Conferees on the part of the House of Representatives

On motion of Senator Lawing, the Conference Report is adopted and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. B. 573, Committee Substitute for **H. B. 573**

HOUSE OF REPRESENTATIVES
June 6, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **H. B. 573**, Committee Substitute for **H. B. 573**, a bill relating to raffles and the game of bingo in Mecklenburg, Buncombe, and Alamance Counties, to the end that when a similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,
GRACE A. COLLINS
Principal Clerk

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows :

S. B. 40, Committee Substitute for **S. B. 40**, a bill to amend the civil divorce, custody and support laws to provide equality of rights under the law to men and women, for concurrence in the House amendment which is placed on the Calendar for Tuesday, June 7.

S. B. 262, Committee Substitute for S. B. 262, a bill to provide for actuarial notes evaluating all public retirement systems, for concurrence in the House amendment which is placed on the Calendar for Tuesday, June 7.

S. B. 691, a bill to amend G. S. 116-36, concerning endowment funds for constituent institutions of the University of North Carolina, for concurrence in the House amendment which is placed on the Calendar for Tuesday, June 7.

H. B. 342, Committee Substitute for H. B. 342, a bill to amend Chapter 18A of the General Statutes concerning the issuance of special occasion permits and the fees for such permits.

Referred to **Alcoholic Beverage Control Committee.**

H. B. 770, a bill to redefine the corporate limits of the Town of Mesic.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 976, a bill to amend G. S. 1A-1, Rule 55, to authorize entry of default judgment on motion.

Referred to **Judiciary I Committee.**

H. B. 1042, Committee Substitute for H. B. 1042, a bill to amend Chapter 17B of the General Statutes by amending G. S. 17B-1 to include additional definitions and by adding a new section to be dsignated G. S. 17B-3.1 to grant to the North Carolina Criminal Justice Education and Training System Council the authority to regulate traffic upon the grounds of the North Carolina Justice Education and Training Center.

Referred to **Judiciary I Committee.**

H. B. 1076, a bill relating to primary forest product assessments.

Referred to **Special Committee on Ways and Means.**

H. B. 1133, Committee Substitute for H. B. 1133, a bill to permit turns through medians by State highway patrolmen.

Referred to **Judiciary I Committee.**

H. B. 1151, a bill to promote the acquisition by the State of buildings and space in buildings having historic, architectural or cultural significance.

Referred to **Special Committee on Ways and Means.**

H. B. 1202, a bill to amend Chapter 25 of the General Statutes specifically giving the Department of Cultural Resources responsibility for planning and coordinating cooperative library development.

Referred to **Special Committee on Ways and Means.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

(Senator Henley presides over a portion of today's Session.)

S. B. 153, House Committee Substitute for S. B. 153, a bill to rewrite Chapter 36 of the General Statutes relating to trusts.

On motion of Senator Smith of New Hanover, consideration of the Committee Substitute bill is postponed until Tuesday, June 7.

S. B. 195, Committee Substitute for S. B. 195, a bill to amend G. S. 20-179(a) to increase the punishment for driving under the influence of intoxicating liquor, narcotic drugs, or other impairing drugs and to amend G. S. 15A-511(a)(3) relating to a defendant's appearance before a magistrate.

Senator Davis offers Amendment No. 1.

Senator Garrison moves that the Committee Substitute bill and pending Amendment No. 1 be re-referred to the **Judiciary II Committee.**

Senator Kincaid offers a substitute motion that the Committee Substitute bill and pending Amendment No. 1 be postponed until Tuesday, June 7, which motion prevails.

S. B. 263, Committee Substitute No. 2 for S. B. 263, a bill to amend G. S. 93-12 to increase the educational requirement and broaden the work experience requirement.

Senator Renfrow offers Amendment No. 1.

Senator Renfrow calls the previous question, duly seconded. The call is sustained.

Amendment No. 1 is adopted.

The Committee Substitute bill No. 2, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 366, a bill to make 18 the minimum age for service as an officer in the State defense militia for females as well as males.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 468, Committee Substitute for S. B. 468, a bill to amend Chapter 96 of the General Statutes known as the Employment Security Law to conform with federal requirements, to make technical improvements and corrections, and to remove outdated and inconsistent provisions from the law, as amended.

Senator Childers offers Amendment No. 4 which is adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 473, Committe Substitute No. 2 for S. B. 473, a bill to amend the Constitution and the General Statutes of North Carolina changing the method of selection of members of the State Board of Education and making the office of Superintendent of Public Instruction appointive, upon second reading.

The Committee Substitute bill No. 2 fails to pass its second reading by roll-call vote, ayes 11, noes 37, as follows:

Those voting in the affirmative are: Senators Ballenger, Childers, Harris, Kincaid, Lawing, Marion, Mathis, McDuffie, Rauch, Renfrow, and Wynne — 11.

Those voting in the negative are: Senators Alexander, Alford, Allsbrook, Barnes, Britt, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Henley, Hill, Jordan, Lake, Marvin, Palmer, Popkin, Raynor, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, and Wynne — 37.

S. B. 497, a bill to provide for the nomination and election of the Buncombe County Board of Education, for concurrence in the House amendment.

On motion of Senator Swain, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 558, Committee Substitute for S. B. 558, a bill relating to the charges or interest which may be charged with respect to open-end accounts.

On motion of Senator Lawing, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Wednesday, June 8.

S. B. 572, Committee Substitute for S. B. 572, a bill to amend Chapter 62 of the General Statutes to restate and clarify the declaration of policy of the State for regulation of public utilities.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 574, Committee Substitute for S. B. 574, a bill to amend Chapter 62 of the General Statutes to clarify procedures for construction, determining need for and type of new electric generation facilities.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 649, a bill to amend G. S. 15-15 to allow for supplementary funding of local bicycle and bikeway programs.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 654, Committee Substitute for S. B. 654, a bill to reconstitute the Area Inmate Labor Commissions and the State Inmate Labor Commission.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 684, a bill to amend Article 2 of Chapter 20 of the General Statutes, the Uniform Drvier's License Act, as amended, upon third reading.

The bill, as amended, passes its third reading.

The bill, as amended, is ordered engrossed and sent to the House of Representatives.

S. B. 702, a bill relating to capacity to marry and permission therefor.

On motion of Senator Smith of Guilford, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 733, Committee Substitute for S. B. 733, a bill to amend G. S. 90-64 to modify reciprocity requirements for pharmacists licensed by another state.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 734, a bill to amend G. S. 14-234 to prohibit State officials and employees from participating in any business transaction involving public funds with a former employer or business associate.

On motion of Senator Britt, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 741, a bill to amend the Dam Safety Law of 1967, G. S. 143-215.23 et seq. to remove the exemption of dams costing less than five thousand dollars and make certain technical corrections.

The bill passes its second reading.

On objection of Senator Crawford to its third reading the bill remains on the Calendar.

Senator Kincaid requests to be recorded voting "aye."

S. B. 757, a bill to amend certain provisions of the law relating to the Battleship Commission.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 758, a bill to amend the Mining Act of 1971, G. S. 74-46 et seq. to provide certain clarifying and technical amendments.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 780, a bill to change the western boundary line of the Town of Alliance, upon third reading.

The bill passes its third reading by roll-call vote, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Kincaid, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Raynor, Renfrow, Royall, Sebo, Smith of Guilford, Smith of New Hanover, Soles, Speed, Swain, Totherow, Vickery, White, and Wynne — 36.

The bill is ordered sent to the House of Representatives.

H. B. 741, a bill to revise and consolidate the Charter of the City of Wilmington, as amended, upon third reading.

The bill, as amended, passes its third reading by roll-call vote, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Kincaid, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Raynor, Renfrow, Royall, Sebo, Smith of Guilford, Smith of New Hanover, Soles, Speed, Swain, Totherow, Vickery, White, and Wynne — 36.

The bill, as amended, is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1045, a bill to amend Chapter 160A of the General Statutes relating to annexation by municipalities in Pamlico County, upon third reading.

The bill passes its third reading by roll-call vote, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Kincaid, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Raynor, Renfrow, Royall, Sebo, Smith of Guilford, Smith of New Hanover, Soles, Speed, Swain, Totherow, Vickery, White, and Wynne — 36.

The bill is ordered enrolled.

H. B. 1194, a bill to modify the provisions of Article 4A of G. S. Chapter 160A, regarding the proration of municipal taxes upon annexation, upon second reading.

On motion of Senator Rauch, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading by roll-call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Swain, Totherow, Vickery, Walker, Whichard, White, and Wynne — 45.

The bill, as amended, remains on the Calendar upon third reading.

H. B. 1256, a bill to amend the Charter of the Town of Saratoga, upon third reading.

The bill pases its third reading by roll-call vote, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Kincaid, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Raynor, Renfrow, Royall, Sebo, Smith of Guilford, Smith of New Hanover, Soles, Speed, Swain, Totherow, Vickery, White, and Wynne — 36.

The bill is ordered enrolled.

On motion of Senator Royall, the Senate adjourns to meet tomorrow at 1:30 P.M.

June 6, 1977

ONE HUNDRED FIFTH DAY

SENATE CHAMBER,
Tuesday, June 7, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Reverend W. T. Mills, Temple Baptist Church, Raleigh, as follows:

"Our Heavenly Father, Thou who art the Creator and Guardian of all the universe, make us aware always of Thy presence. Remind us of our dependence upon the constancy of Thy law for life and existence, and may the Cross ever remind us of our imperfection and Thy love. Create within each of us a healthy and wholesome fear of Thee, and as we seek to pass laws whereby mankind can live together in mutual respect and well-being, help us ever to look for guidance to Thee who art the author of all law, the designer of justice, and the initiator of mercy.

"Bless each law maker and his family, restore to health those who are sick. Where there are unhappy and strained relationships bring harmony and love. If loved ones have been called to their eternal home may the loneliness created by their absence be transformed into a sense of peace by Thy presence.

"Take all the hurt and sorrow of the world to Thy heart, and through each of us do some work to restore justice, where prejudice has ruled, to bring love in the place of hate, faith to light the darkness of doubt, hope to transform despair, and love to wipe the tears of sorrow from the eyes of our fellowman.

"Then tonight when we lie down upon our beds to rest, may our sleep come peacefully upon us in the knowledge that we have done our best today to treat our fellowman as we would like to be treated ourselves, and then look up through the gentle darkness into the light of Thy face and say, Father, I'm home.

"In the name of Jesus Christ our Lord we pray, Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Vickery for today.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

June 7, 1977

By Senator White for the **Agriculture Committee:**

S. B. 348, a bill to amend Chapter 106 of the General Statutes concerning agriculture to require the date labeling of perishable food products, without prejudice.

On motion of Senator White, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 678, a bill to make deductions from a routeman's commission for any rebate on the sale of milk unlawful, without prejudice.

On motion of Senator White, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

H. B. 452, a bill to amend G. S. 25A-23 to allow the seller of agricultural products to take a security interest in agricultural property, with a favorable report.

By Senator Winters for the **Alcoholic Beverage Control Committee:**

S. B. 735, a bill to allow cities and counties with ABC stores to vote on the sale of mixed beverages in social establishments and restaurants seating at least 36, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Winters, the rules are suspended and the Committee Substitute bill is placed on today's **Calendar.**

By Senator Hardison for the **Appropriations Committee:**

H. B. 83, Committee Substitute for **H. B. 83,** a bill to amend G. S. 66-58 authorizing the use of public school cafeterias for programs to feed the elderly or handicapped citizens of North Carolina, with an unfavorable report as to Committee Substitute bill, favorable as to Senate Committee Substitute bill.

On motion of Senator Hardison, the rules are suspended, and the Senate Committee Substitute bill is placed on today's Calendar.

By Senator Totherow for the **Insurance Committee:**

S. B. 45, House Committee Substitute for **S. B. 45,** a bill to permit a person's life to be insured for the benefit of his or her spouse or children or both, with a favorable report.

S. B. 697, a bill to amend G. S. 55A-15 to authorize nonprofit hospital corporations to purchase officers and directors liability insurance, with a favorable report.

H. B. 1135, a bill to amend Article 26 of Chapter 116 relating to a self-insurance program for health care liability claims, with a favorable report.

By Senator Britt for the **Judiciary II Committee:**

S. B. 302, a bill to make theater admissions in violation of rating guides a misdemeanor, without prejudice.

On motion of Senator Britt, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 367, a bill to amend G. S. 128-15 and G. S. 128-15.1 relating to State employment preference for veterans and their wives or widows to make the law applicable to all spouses or surviving spouses, with an unfavorable report.

S. B. 683, a bill to provide payment for injuries sustained by pupils in school bus accidents, with a favorable report.

On motion of Senator Britt the bill is re-referred to the **Appropriations Committee.**

S. B. 724, a bill amending Chapter 6 of the General Statutes to provide for the recovery of attorney fees and other costs in civil actions which are determined to be frivolous, taken in bad faith or without substantial justification, with an unfavorable report.

By Senator Henley for the **Rules and Operation of the Senate Committee:**

S. J. R. 578, a joint resolution creating a Joint Legislative Commission to study the Revenue Laws of the State of North Carolina, and make recommendations to update the same, with an unfavorable report as the joint resolution, favorable as to Committee Substitute joint resolution.

On motion of Senator Henley, the rules are suspended, and the Committee Substitute joint resolution is placed on today's Calendar.

S. B. 740, Committee Substitute for S. B. 740, a bill directing the Legislative Research Commission to study the insurance laws, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Henley, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

By Senator Harrington for the **Transportation Committee:**

S. B. 769, a bill to exempt or defer the removal of certain directional signs, displays, and devices pursuant to Section 131 of Title 23 of the United States Code, with a favorable report, as amended.

H. B. 1094, a bill to amend the definition of "public enterprise" relating to cities and counties to include public transportation systems, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Vickery:

S. B. 824, a bill to provide that restitution and reparation be incorporated as an integral part of the criminal justice system.

Referred to **Judiciary II Committee.**

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S. B. 83, Committee Substitute for S. B. 83

HOUSE OF REPRESENTATIVES
June 6, 1977

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Amendment to S. B. 83, Committee Substitute for S. B. 83, a bill to amend G. S. 95-87 by raising the State minimum wage to two dollars and thirty cents per hour, the Speaker has appointed as conferees on the part of the House, Representatives Joe Johnson, DeBruhl, and Plyler to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,
GRACE A. COLLINS
Principal Clerk

H. B. 205

HOUSE OF REPRESENTATIVES
June 7, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate amendments to H. B. 205, a bill to provide for annual testing in the public schools in order to assess the effectiveness of the educational process, and request conferees. The Speaker has appointed Representatives Quinn, Campbell, and Hunt on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,
GRACE A. COLLINS
Principal Clerk

Senator Stallings moves that the President appoint conferees, which motion prevails. The President appoints Senators Stallings, Walker, and Scott as conferees on the part of the Senate and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 148, a bill to abolish the House Movers Licensing Board.
Referred to **Special Committee on Ways and Means.**

H. B. 399, Committee Substitute for H. B. 399, a bill to establish the North Carolina Code Officials Qualification Board and to provide for more even enforcement of the State Building Code throughout North Carolina.
Referred to **Local Government and Regional Affairs Committee.**

H. B. 467, Committee Substitute for H. B. 467, a bill to rewrite portions of Chapter 122 of the General Statutes of North Carolina dealing with area mental health programs and to repeal Articles 2A, 2C, and 2E of G. S. Chapter 122 which deal with current local mental health and area mental health programs.
Referred to **Human Resources Committee.**

H. B. 551, a bill to amend Article 22A of Chapter 163 of the General Statutes to require office holders to report certain funds as campaign contributions and expenditures.
Referred to **Election Laws Committee.**

H. B. 727, a bill to amend the Workmen's Compensation Act with respect to benefits for permanent and total disability.
Referred to **Manufacturing, Labor and Commerce Committee.**

H. B. 930, a bill to include X-rays within the types of business and public records which may be destroyed after copies of the records have been recorded on microfilm or by another process which accurately reproduces or forms a durable medium for reproducing the original.
Referred to **Judiciary I Committee.**

H. B. 1050, a bill to revive and improve certain provisions of Chapter 75 of the General Statutes, to protect the citizens of North Carolina from unfair, unethical, deceptive and unscrupulous business practices.
Referred to **State Government Committee.**

H. B. 1070, a bill to authorize the issuance of three hundred million dollars of bonds of the State to provide funds for the construction of highways subject to a vote of the qualified voters of the State.
Referred to **Transportation Committee.**

H. B. 1077, a bill relating to forest development in North Carolina.
Referred to **Special Committee on Ways and Means.**

H. B. 1116, a bill to amend North Carolina G. S. 76-14 to increase pilotage charges for vessels navigating the Cape Fear River and bar.
Referred to **Judiciary I Committee.**

June 7, 1977

H. B. 1119, a bill to reorganize the Department of Natural and Economic Resources as the Department of Natural Resources and Community Development; to create a North Carolina Employment and Training Council in the Department of Natural Resources and Community Development; and to make necessary conforming changes.

Referred to **Natural and Economic Resources Committee.**

H. B. 1147, a bill authorizing a principal to delegate responsibilities and duties to an assistant principal.

Referred to **Education Committee.**

H. B. 1158, Committee Substitute for H. B. 1158, a bill to expressly authorize a local ABC board to enter a contract with a local law enforcement agency.

Referred to **Alcoholic Beverage Control Committee.**

H. B. 1167, a bill to transfer the historic Seaboard Coastline Building to the control of the Department of Cultural Resources to be used as a railroad museum and for other purposes.

Referred to **Special Committee on Ways and Means.**

H. B. 1187, a bill to amend Article 18B of Chapter 58 of the General Statutes to provide for the availability of adequate basic property insurance in all cities and towns.

Referred to **Insurance Committee.**

H. B. 1223, a bill to authorize and regulate movement of structures, historical buildings, houses or other extraordinary objects on State highway system of roads.

Referred to **Transportation Committee.**

H. B. 1242, a bill to authorize the hunting of bear in Holly Shelter Wildlife Refuge and baiting of game in Pender County.

Referred to **Wildlife Committee.**

H. B. 1284, a bill to provide for the nomination and election of the members of the Board of Education of Onslow County.

Referred to **Local Government and Regional Affairs Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 40, Committee Substitute for S. B. 40, a bill to amend the civil divorce, custody and support laws to provide equality of rights under the law to men and women, for concurrence in the House amendment.

On motion of Senator Sebo, the Senate concurs in the House amendment and the Committee Substitute bill is ordered enrolled.

S. B. 153, House Committee Substitute for S. B. 153, a bill to rewrite Chapter 36 of the General Statutes relating to trusts.

The House Committee Substitute bill passes its second and third readings and is ordered enrolled.

S. B. 195, Committee Substitute for S. B. 195, a bill to amend G. S. 20-179(a) to increase the punishment for driving under the influence of intoxicating liquor, narcotic drugs, or other impairing drugs and to amend G. S. 15A-511(a)(3) relating to a defendant's appearance before a magistrate.

Amendment No. 1 offered by Senator Davis on June 6 is adopted.

Senator Garrison offers Amendment No. 2 which fails of adoption.

Senator Somers offers Amendment No. 3.

Senator Davis moves that Amendment No. 3 do lie upon the table, which motion prevails, and Amendment No. 3 lies upon the table.

The Committee Substitute bill, as amended, passes its second reading.

On objection of Senator Allsbrook to its third reading the Committee Substitute bill, as amended, remains on the Calendar.

S. B. 239, Committee Substitute for S. B. 239, a bill to amend the laws relating to criminal procedure.

The Committee Substitute bill passes its second reading.

On objection of Senator Britt to its third reading the Committee Substitute bill remains on the Calendar.

S. B. 262, Committee Substitute for S. B. 262, a bill to provide for actuarial notes evaluating all public retirement systems, for concurrence in the House amendment.

On motion of Senator Hardison, the Senate concurs in the House amendment and the Committee Substitute bill is ordered enrolled.

S. B. 368, a bill to amend G. S. 147-32 relating to compensation for widows of Governors to make the law applicable to all surviving spouses.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 439, a bill repealing the criminal offense of public drunkenness and granting authority to assist persons who become intoxicated in public.

On motion of Senator Crawford, Committee Amendment No. 1 is adopted.

On motion of Senator Hardison, the bill, as amended, is re-referred to the **Appropriations Committee.**

S. B. 486, a bill to increase public sector representation on the Mine Safety and Health Advisory Council.

On motion of Senator Hardison, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 575, Committee Substitute for S. B. 575, a bill to amend Chapter 62 of the General Statutes to restate and clarify the procedure for fixing public utility rates.

On motion of Senator Lake, consideration of the Committee Substitute bill is postponed until Wednesday, June 8.

S. J. R. 578, Committee Substitute for S. J. R. 578, a joint resolution directing the Legislative Research Commission to study the Revenue Laws of the State of North Carolina, and make recommendations to update these laws.

On motion of Senator Henley, the Committee Substitute joint resolution is adopted, and on his further motion is placed on the Calendar for Thursday, June 9.

S. B. 691, a bill to amend G. S. 116-36, concerning endowment funds for constituent institutions of the University of North Carolina, for concurrence in the House amendment.

On motion of Senator Davis, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 735, Committee Substitute for S. B. 735, a bill to allow cities and counties with ABC stores to vote on the sale of mixed beverages in social establishments and restaurants seating at least 36.

On motion of Senator Winters, the Committee Substitute bill is adopted, and on his further motion is re-referred to the **Finance Committee.**

S. B. 740, Committee Substitute for S. B. 740, a bill directing the Legislative Research Commission to study the insurance laws.

On motion of Senator Henley, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Thursday, June 9.

S. B. 741, a bill to amend the Dam Safety Law of 1967, G. S. 143-215.23 et seq. to remove the exemption of dams costing less than five thousand dollars and make certain technical corrections, upon third reading.

The bill passes its third reading and is ordered sent to the House of Representatives.

S. B. 759, a bill to amend the Sedimentation Pollution Control Act of 1973, G. S. 113A-50 et seq. to provide that actions for collection of civil penalties may be referred to the Attorney General in thirty days.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 768, a bill to amend the Oil Pollution Control Act.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 83, Senate Committee Substitute for H. B. 83, a bill to clarify the provisions of G. S. 66-58(c)(9) relating to the operation by the public schools of cafeterias.

On motion of Senator Hardison, the Senate Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Thursday, June 9.

H. B. 204, a bill providing for the adoption and use of tests to assure that high school graduates possess skills and knowledge necessary to function in society.

June 7, 1977

On motion of Senator Hardison, Committee Amendment No. 1 is adopted.

Senator Sebo offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendments.

H. B. 331, a bill to amend the Uniform Boll Weevil Eradication Act, Article 4F of Chapter 106.

On motion of Senator Hardison, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 489, Committee Substitute for **H. B. 489**, a bill to amend Article V of the Constitution of North Carolina to authorize municipalities owning or operating electric systems and joint agencies composed of such municipalities to jointly or severally own, operate and maintain electric generation and transmission facilities with any person, firm, association or corporation, public or private, engaged in the generation, transmission or distribution of electric power and energy for resale within this State or any contiguous state, and to issue revenue bonds to finance the cost thereof, subject to the approval of the electorate, as amended, upon second reading.

On motion of Senator Webster, Committee Amendment No. 2 is adopted.

The Committee Substitute bill, as amended, passes its second reading by roll-call vote, ayes 36, noes 12, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Childers, Combs, Crawford, Daniels, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Marvin, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Speed, Stallings, Walker, Webster, Whichard, White, Winters, and Wynne — 36.

Those voting in the negative are: Senators Alexander, Barnes, Britt, Davis, Lawing, Mathis, McDuffie, Smith of New Hanover, Soles, Somers, Swain, and Totherow — 12.

The Committee Substitute bill, as amended, remains on the Calendar upon third reading.

H. B. 492, Committee Substitute for **H. B. 492**, a bill to repeal Articles 27 and 29 of Chapter 115 of the General Statutes and to enact Articles 27A and 29A to provide an expanded legal basis for secondary school vocational education.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 506, a bill to provide for four additional members on the Emergency Medical Services Advisory Council.

On motion of Senator Hardison, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 612, a bill to repeal the prohibition against hunting in the snow in Davie County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 624, a bill to expand the Youth Advisory Council and to provide for the terms of members of the Council.

On motion of Senator Hardison, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 631, a bill to amend the law regulating the manner of taking game to make it applicable to Wayne County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 680, a bill to amend the General Statutes to provide for freedom of choice by patients relating to psychological services.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

On motion of Senator Harris, the bill, as amended, is re-referred to the **Insurance Committee.**

H. B. 710, a bill to prohibit the hunting of deer on the Outer Banks in Currituck County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 729, a bill to amend the Workmen's Compensation Act regarding medical privilege.

On motion of Senator Britt, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 786, a bill to delete Alleghany County from the "no closed season" provisions of G. S. 113-111.

The bill passes its second and third readings and is ordered enrolled.

H. B. 920, a bill to repeal G. S. 143B-151 and G. S. 143B-152 so as to abolish the Eugenics Commission.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1006, a bill to reorganize the Marine Fisheries Commission and the Commercial and Sports Fisheries Committee.

On motion of Senator Hardison, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1034, a bill to expand the membership and powers of the North Carolina Historical Commission.

On motion of Senator Hardison, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1065, Committee Substitute for **H. B. 1065,** a bill to amend G. S. 75-27 so that a person who receives unsolicited goods may treat them as a gift and is under no obligation to pay for the unsolicited goods.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 1089, a bill to amend G. S. 113-100 to provide that buffalo be exempted from "no open season" status for game hunting purposes.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1123, a bill to make it unlawful to take clams on oyster rocks by use of rakes or tongs or any other device which will disturb oysters; and to require the Department of Natural and Economic Resources to post oyster rocks to forbid the taking of clams in the above-described manner.

On motion of Senator Smith of New Hanover, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1174, a bill to provide for one representative from each congressional district on the Social Services Commission.

Senator Hardison offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1194, a bill to modify the provisions of Article 4A of G. S. Chapter 160A, regarding the proration of municipal taxes upon annexation, as amended, upon third reading.

The bill, as amended, passes its third reading by roll-call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Marion, Marvin, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Swain, Totherow, Walker, Webster, Whichard, White, and Winters — 42.

The bill, as amended, is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1196, a bill to amend Chapter 167 of the 1977 Session Laws to prevent the use of artificial lights in areas inhabited by game in Rowan County.

The bill passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

June 7, 1977

S. B. 197, an act to amend G. S. 74B-3 relating to the "Private Protective Services".

S. B. 424, an act to redefine the practice of optometry consistent with modern advances in science and optometry.

S. B. 475, an act to amend G. S. 139-28 to increase the possible term of years for watershed district debts.

S. B. 497, an act to provide for the nomination and election of the Buncombe County Board of Education.

S. B. 502, an act to amend G. S. 146-25.1 pertaining to Department of Administration's authority over bid proposals for leasing.

S. B. 547, an act to conform the replacement period for involuntarily converted real property held for productive use or investment, for State income tax purposes, to that provided for federal income tax purposes.

S. B. 548, an act to provide tax incentives to encourage preservation of historic structures.

S. B. 587, an act to amend G. S. 105-163.6 relating to wages withheld for income tax purposes.

S. B. 594, Committee Substitute for S. B. 594, an act to authorize the Town of Smithfield to extend its zoning authority over West Smithfield Sanitary District.

H. J. R. 865, a joint resolution commending the Harnett County Historical Society for its efforts to further the preservation, restoration, and maintenance of the homeplace of Dr. and Mrs. James Archibald Campbell, which is situated on the grounds of Campbell College in Buies Creek.

H. J. R. 1022, a joint resolution urging the Congress to take appropriate action to override the Food and Drug Administration's decision to ban the use of saccharin.

H. B. 1045, an act to amend Chapter 160A of the General Statutes relating to annexation by municipalities in Pamlico County.

H. J. R. 1178, a joint resolution urging the Congress of the United States to amend H. B. 4287 and S. B. 717 so as to permit continued state-administration of the Federal Mine and Quarry Safety Program.

H. B. 1256, an act to amend the Charter of the Town of Saratoga.

H. B. 1310, an act to validate the recording of certain maps in Yadkin County.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:30 P.M.

ONE HUNDRED SIXTH DAY

SENATE CHAMBER,
Wednesday, June 8, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Almighty God, we pause at the opening of this Session to offer our thanksgiving for life, for friends and family, and for the privilege of serving in this Assembly. Help us to see the spiritual significance of what we have been called upon to do, and consider ourselves ordained of Thee to serve the people of this State. And to Thee shall be the glory. Amen."

Senator Royall for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

H. B. 1070, a bill to authorize the issuance of three hundred million dollars of bonds of the State to provide funds for the construction of highways subject to a vote of the qualified voters of the State.

On motion of Senator Harrington, the rules are suspended, and the bill is taken from the **Transportation Committee** and re-referred to the **Finance Committee.**

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rauch for the **Finance Committee:**

S. B. 220, a bill to clarify the North Carolina Foreign Trade Zone Act, with a favorable report, as amended.

S. B. 585, a bill to clarify the term "interstate business" in G. S. 105-113.9, with a favorable report, as amended.

S. B. 598, a bill to grant executor or trustee discretion to make distributions in cash or kind, without regard to federal income tax basis, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Rauch, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

S. B. 735, Committee Substitute for **S. B. 735,** a bill to allow cities and counties with ABC stores to vote on the sale of mixed beverages in social establishments and restaurants seating at least 36, with a favorable report.

H. B. 1035, Senate Committee Substitute for House Committee Substitute for **H. B. 1035,** a bill to provide for the incorporation and operation of stock-owned savings and loan associations in North Carolina, with a favorable report.

On motion of Senator Lawing, the rules are suspended, and the Senate Committee Substitute bill is placed on today's Calendar.

By Senator Wynne for the **Higher Education Committee:**

S. B. 713, a bill to alter the authority of the Board of Governors of the University of North Carolina with respect to the licensing of degree-granting educational institutions, with a favorable report.

S. R. 813, a Senate resolution directing the Legislative Research Commission to study revision and recodification of Chapter 115A of the General Statutes, entitled "Community Colleges, Technical Institutes, and Industrial Education Centers", with a favorable report.

By Senator Britt for the **Judiciary II Committee:**

S. B. 459, a bill to promote and protect the welfare of the people of the State of North Carolina by prevention and elimination of discriminatory employment practices and policies based upon race, color, religion, national origin, ancestry, age, or sex, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Britt, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

S. B. 651, a bill to provide for regulation of bicycles and other human powered vehicles, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Britt, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

By Senator Raynor for the **Law Enforcement and Crime Control Committee:**

H. B. 1097, a bill to amend G. S. 160A-288 to allow increased mutual assistance between law enforcement agencies, with a favorable report.

H. B. 1115, a bill to increase the membership of the Private Protective Services Board, with a favorable report.

By Senator Soles for the Local Government and Regional Affairs Committee:

S. B. 762, a bill to amend G. S. 160A-475 relating to the powers of regional council of governments, with an unfavorable report.

S. B. 816, a bill to create the Wanchese Harbor Citizens Advisory Council, and to establish the duties and responsibilities of the Council, with a favorable report.

H. B. 399, Committee Substitute for **H. B. 399,** a bill to establish the North Carolina Code Officials Qualification Board and to provide for more even enforcement of the State Building Code throughout North Carolina, with a favorable report.

H. B. 770, a bill to redefine the corporate limits of the Town of Mesic, with a favorable report.

H. B. 1275, a bill to repeal Chapter 1073 of the 1951 Session Laws relating to the publication of certain records in Sampson County, with a favorable report.

H. B. 1284, a bill to provide for the nomination and election of the members of the Board of Education of Onslow County, with a favorable report.

H. B. 1294, a bill to prohibit hunting in Sam Brown Park in Alleghany County, with a favorable report.

H. B. 1295, a bill relating to the game of "bingo" in Chowan County, with a favorable report.

By Senator Speed for the **Natural and Economic Resources Committee:**

H. B. 699, Committee Substitute for **H. B. 699,** a bill to continue the North Carolina Environmental Policy Act, with a favorable report.

By Senator Whichard for the **State Government Committee:**

S. B. 695, a bill to provide for the interchange of governmental employees to be known as the North Carolina Interchange of Governmental Employees Act of 1977, with a favorable report, as amended.

S. B. 715, a bill to amend Article 9, Chapter 65 of the General Statutes relating to cemeteries, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Whichard, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

H. B. 1050, a bill to revive and improve certain provisions of Chapter 75 of the General Statutes, to protect the citizens of North Carolina from unfair, unethical, deceptive and unscrupulous business practices, with a favorable report.

By Senator Royall for the **Ways and Means Committee:**

S. B. 650, a bill to authorize the use of Powell Bill Funds for bikeway purposes, pursuant to Rule 41.1.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Walker:

S. B. 825, a bill to remove the maximum one hundred twenty dollar sales tax limitation imposed upon certain boats, aircraft, and motor vehicles.
Referred to **Finance Committee.**

By Senator Royall:

S. J. R. 826, a joint resolution directing the Legislative Research Commission to study a proposed school health education project: the "Heed" Project.
Referred to **Special Committee on Ways and Means.**

By Senator Britt:

S. B. 827, a bill making the breaking into paper currency-operated dispensing machines a felony.
Referred to **Judiciary II Committee.**

By Senator Hardison:

S. B. 828, a bill to amend G. S. 143-215.1 so as to establish a procedure for establishing effluent limitations in water quality limited regions.
Referred to **Natural and Economic Resources Committee.**

By Senator Stallings:

S. B. 829, a bill to permit counties to restructure their governing boards in the same manner as may cities.
Referred to **Local Government and Regional Affairs Committee.**

The rules are suspended to allow the referral of the following bills filed today to Committee:

By Senator Stallings:

S. B. 831, a bill to provide a revised statewide salary schedule for selected public school personnel.
Referred to **Special Committee on Ways and Means.**

By Senator Britt:

S. B. 841, a bill to amend G. S. 15A-1002(a) so as to require specificity in motions questioning the capacity of a criminal defendant to proceed.
Referred to **Judiciary II Committee.**

By Senator Britt:

S. B. 842, a bill to prescribe the essentials of bills of indictment for rape.
Referred to **Judiciary II Committee.**

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

June 8, 1977

S. B. 83, Committee Substitute for S. B. 83

HOUSE OF REPRESENTATIVES
June 8, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on S. B. 83, Committee Substitute for S. B. 83, a bill to amend G. S. 95-87 by raising the State minimum wage to two dollars and thirty cents per hour, to the end that when a similar action has been taken on the part of the Senate, you may order the bill enrolled.

Respectfully,
GRACE A. COLLINS
Principal Clerk

CONFERENCE REPORT

S. B. 83, Committee Substitute for S. B. 83

Senator Childers, for the Conferees appointed to consider the differences arising between the Senate and House of Representatives upon S. B. 83, Committee Substitute for S. B. 83, a bill to amend G. S. 95-87 by raising the State minimum wage to two dollars and thirty cents per hour, submits the following report:

To the President of the Senate and the Speaker of the House of Representatives:

We, the Conferees appointed to consider and resolve the difference between the two bodies with respect to S. B. 83, a bill to amend G. S. 95-87 by raising the State minimum wage to two dollars and thirty cents per hour, respectfully report that we have conferred and agreed as follows:
That Section 1 of the bill be rewritten in its entirety to read as follows:

"Section 1. G. S. 95-87 as it appears in the 1975 Cumulative Supplement to Volume 2C of the General Statutes of North Carolina is hereby amended on line 2 by deleting the words and figures "two dollars ($2.00) per hour" and inserting in lieu thereof the words and figures "two dollars and fifty cents ($2.50) per hour beginning on the same day that the minimum wage as set by the Fair Labor Standards Act of 1938, as amended, equals or exceeds two dollars and fifty cents ($2.50) per hour."

And, to this end, we the said Conferees, recommend that the House of Representatives and the Senate adopt this Conference Report.

JACK CHILDERS
W. G. SMITH
W. D. WEBSTER
Conferees on the part of the Senate

CLAUDE DEBRUHL
J. E. JOHNSON
A. W. PLYLER
Conferees on the part of the House of Representatives

June 8, 1977

On motion of Senator Childers, the Conference Report is adopted and the bill is ordered enrolled.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 527, a bill to amend the effective date of Chapter 123 of the Session Laws of 1975 relating to payments from the State fund for medical assistance, for concurrence in the House amendment which is placed on the Calendar for Thursday, June 9.

H. B. 621, Committee Substitute for **H. B. 621,** a bill to amend G. S. 14-269 to authorize law enforcement agencies to regulate possession of concealed weapons by law enforcement officers.

Referred to **Law Enforcement and Crime Control Committee.**

H. B. 666, a bill to require disclosure detail regarding proceeds from loans used by candidates for political office and political committees.

Referred to **Election Laws Committee.**

H. B. 708, Committee Substitute for **H. B. 708,** a bill to amend G. S. 41-2.1, right of survivorship in bank deposits created by written agreement, so as to make such deposits subject to additional claims.

Referred to **Judiciary I Committee.**

H. B. 1096, Committee Substitute for **H. B. 1096,** a bill to redefine the duties of the Veterans Affairs Commission.

Referred to **Veterans and Miltiary Affairs Committee.**

H. B. 1164, a bill to authorize the Department of Transportation to participate in federal programs of railroad revitalization and to administer federal programs relating to railroad revitalization.

Referred to **Transportation Committee.**

H. B. 1168, a bill to amend Chapter 163 of the General Statutes to change the title of executive secretary of county boards of elections to supervisor of elections.

Referred to **Election Laws Committee.**

H. B. 1244, a bill to correct a statutory reference concerning transportation of alcoholic beverages in for-hire vehicles.

Referred to **Alcoholic Beverage Control Committee.**

H. B. 1257, Committee Substitute for **H. B. 1257,** a bill to amend G. S. 105-360(a)(1) to provide for a grace period for payment of county and municipal taxes.

Referred to **Finance Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

(Senator Henley presides over a portion of today's Session.)

S. B. 45, House Committee Substitute for S. B. 45, a bill to permit a person's life to be insured for the benefit of his or her spouse or children or both.

The House Committee Substitute bill passes its second and third readings and is ordered enrolled.

S. B. 195, Committee Substitute for S. B. 195, a bill to amend G. S. 20-179(a) to increase the punishment for driving under the influence of intoxicating liquor, narcotic drugs, or other impairing drugs and to amend G. S. 15A-511(a)(3) relating to a defendant's appearance before a magistrate, as amended, upon third reading.

Senator Soles moves that the Committee Substitute bill, as amended, be re-referred to the **Appropriations Committee,** which motion fails to prevail.

The Committee Substitute bill, as amended, passes its third reading and is ordered engrossed and sent to the House of Representatives.

S. B. 239, Committee Substitute for S. B. 239, a bill to amend the laws relating to criminal procedure, upon third reading.

The Committee Substitute bill passes its third reading and is ordered sent to the House of Representatives.

S. B. 459, Committee Substitute for S. B. 459, a bill to promote and protect the welfare of the people of the State of North Carolina by prevention and elimination of discriminatory employment practices and policies based upon race, color, religion, national origin, age, sex, or handicap.

On motion of Senator Britt, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Friday, June 10.

S. B. 558, Committee Substitute for S. B. 558, a bill relating to the charges or interest which may be charged with respect to open-end accounts.

The Committee Substitute bill passes its second reading.

On objection of Senator McDuffie to its third reading the Committee Substitute bill remains on the Calendar.

S. B. 575, Committee Substitute for S. B. 575, a bill to amend Chapter 62 of the General Statutes to restate and clarify the procedure for fixing public utility rates.

On motion of Senator Lake, Committee Amendment No. 1 is adopted.

Senator Lake offers Amendment No. 2 which is adopted.

The Committee Substitute bill, as amended, passes its second reading.

Without objection, Senator Davis is excused from voting for the following reason: "Possible conflict of interest."

On objection of Senator Webster to its third reading the Committee Substitute bill, as amended, remains on the Calendar.

S. B. 598, Committee Substitute for S. B. 598, a bill to grant executor or trustee discretion to make distributions in cash or kind, without regard to federal income tax basis.

On motion of Senator Rauch, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Friday, June 10.

S. B. 651, Committee Substitute for S. B. 651, a bill to provide for regulation of bicycles.

On motion of Senator Britt, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Friday, June 10.

S. B. 697, a bill to amend G. S. 55A-15 to authorize nonprofit hospital corporations to purchase officers and directors liability insurance, upon second reading.

The bill passes its second reading by roll-call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, McDuffie, Palmer, Popkin, Rauch, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 44.

The bill remains on the Calendar upon third reading.

S. B. 715, Committee Substitute for S. B. 715, a bill to amend Article 9, Chapter 65 of the General Statutes relating to cemeteries.

On motion of Senator Whichard, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Friday, June 10.

S. B. 769, a bill to exempt or defer the removal of certain directional signs, displays, and devices pursuant to Section 131 of Title 23 of the United States Code.

On motion of Senator Harrington, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 778, a bill requiring savings and loan and building and loan associations to furnish shareholders an annual financial statement.

Senator Harris offers Amendment No. 1 which fails of adoption.

The bill passes its second reading.

On objection of Senator McDuffie to its third reading the bill remains on the Calendar.

H. B. 452, a bill to amend G. S. 25A-23 to allow the seller of agricultural products to take a security interest in agricultural property.

The bill passes its second and third readings and is ordered enrolled.

H. B. 489, Committee Substitute for H. B. 489, a bill to amend Article V of the Constitution of North Carolina to authorize municipalities owning or operating electric systems and joint agencies composed of such municipali-

ties to jointly or severally own, operate and maintain electric generation and transmission facilities with any person, firm, association or corporation, public or private, engaged in the generation, transmission or distribution of electric power and energy for resale within this State or any contiguous state, and to issue revenue bonds to finance the cost thereof, subject to the approval of the electorate, as amended, upon third reading.

Senator Hardison offers Amendment No. 3 which is adopted.

The Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 39, noes 5, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Palmer, Popkin, Rauch, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Soles, Speed, Swain, Totherow, Walker, Webster, White, Winters, and Wynne — 39.

Those voting in the negative are: Senators Barnes, Britt, McDuffie, Smith of New Hanover, and Somers — 5.

The Committee Substitute bill, as amended, is ordered sent to the House of Representatives.

Having received a three-fifths majority vote, the Committee Substitute bill, as amended, is ordered sent to the House of Representatives for concurrence in the Senate amendments.

H. B. 948, a bill to clarify the Retail Installment Sales Act regarding security interests in property sold under revolving charge account contracts.

Senator Barnes offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading.

On objection of Senator Totherow to its third reading the bill, as amended, remains on the Calendar.

H. B. 998, Senate Committee Substitute for **H. B. 998**, a bill amending G. S. 24-14 relating to loans secured by secondary or junior mortgages.

Senator Garrison calls the previous question, duly seconded. The call is sustained.

The Senate Committee Substitute bill passes its second reading.

On objection of Senator Totherow to its third reading, the Senate Committee Substitute bill remains on the Calendar.

H. B. 1035, Senate Committee Substitute for House Committee Substitute for **H. B. 1035**, a bill to provide for the incorporation and operation of stock-owned savings and loan associations in North Carolina, upon third reading.

The Senate Committee Substitute bill passes its third reading by roll-call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Kincaid, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Renfrow, Royall, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, and White — 41.

June 8, 1977

The Senate Committee Substitute bill is ordered, without objection, sent to the House of Representatives for consideration in the Senate Committee Substitute bill by special messenger.

H. B. 1094, a bill to amend the definition of "public enterprise" relating to cities and counties to include public transportation systems.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1135, a bill to amend Article 26 of Chapter 116 relating to a self-insurance program for health care liability claims, upon second reading.

The bill passes its second reading by roll-call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lawing, Marion, Marvin, McDuffie, Palmer, Popkin, Rauch, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 45.

The bill remains on the Calendar upon third reading.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 40, Committee Substitute for **S. B. 40**, an act to amend the civil divorce, custody and support laws to provide equality of rights under the law to men and women.

S. B. 153, House Committee Substitute for **S. B. 153**, an act to rewrite Chapter 36 of the General Statutes relating to trusts.

S. B. 262, Committee Substitute for **S. B. 262**, an act to provide for actuarial notes evaluating all public retirement systems.

S. B. 409, an act to amend the Historic Albemarle Tour Highway Act.

S. B. 605, an act to provide that services of subpoenas issued by the Industrial Commission can be done by anyone not a party to the action, in accordance with the rules of civil procedure.

S. B. 691, an act to amend G. S. 116-36, concerning endowment funds for constituent institutions of the University of North Carolina.

H. B. 492, Committee Substitute for **H. B. 492**, an act to repeal Articles 27 and 29 of Chapter 115 of the General Statutes and to enact Articles 27A and 29A to provide an expanded legal basis for secondary school vocational education.

H. B. 573, Committee Substitute for **H. B. 573**, an act relating to raffles and the game of bingo in Mecklenburg, Buncombe, and Alamance Counties.

H. B. 612, an act to repeal the prohibition against hunting in the snow in Davie County.

H. B. 631, an act to amend the law regulating the manner of taking game to make it applicable to Wayne County.

H. B. 710, an act to prohibit the hunting of deer on the Outer Banks in Currituck County.

H. B. 741, an act to revise and consolidate the Charter of the City of Wilmington.

H. B. 786, an act to delete Alleghany County from the "no closed season" provisions of G. S. 113-111.

H. B. 920, an act to repeal G. S. 143B-151 and G. S. 143B-152 so as to abolish the Eugenics Commission.

H. B. 1065, Committee Substitute for **H. B. 1065,** an act to amend G. S. 75-27 so that a person who receives unsolicited goods may treat them as a gift and is under no obligation to pay for the unsolicited goods.

H. B. 1089, an act to amend G. S. 113-100 to provide that buffalo be exempted from "no open season" status for game hunting purposes.

H. B. 1196, an act to amend Chapter 167 of the 1977 Session Laws to prevent the use of artificial lights in areas inhabited by game in Rowan County.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:30 P. M.

ONE HUNDRED SEVENTH DAY

SENATE CHAMBER,
Thursday, June 9, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we are thankful that we live in a land in which we are not compelled to conform to a pattern which others have set for us. However, may we never forget that in addition to our right to differ, we are also given the privilege of cooperation in those things which our consciences can approve. And in serving our country, may we always remember that we may be workers together with Thee in all that is in the interest of the common good. For Thy name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Gray, Stallings, and Somers for tomorrow, June 10. The President grants a leave of absence to Senator Hill for Monday through Thursday, June 13, 14, 15, and 16 to attend and speak at the State Savings and Loan League meeting in Marco Island, Florida; and for Monday, Tuesday, and Wednesday, June 20, 21, and 22, due to hospitalization.

S. B. 459, Committee Substitute for **S. B. 459**, a bill to promote and protect the welfare of the people of the State of North Carolina by prevention and elimination of discriminatory employment practices and policies based upon race, color, religion, national origin, age, sex, or handicap.

On motion of Senator Sebo, the rules are suspended, and the Committee Substitute bill is taken from the Calendar for Friday, June 10, and is placed on the Calendar for today.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Lawing for the **Banking Committee:**

H. B. 308, a bill to amend Articles 14A through 14L of Chapter 54 of the General Statutes, relating to credit unions, with a favorable report.

H. B. 323, Committee Substitute for **H. B. 323**, a bill to re-enact G. S. 24-1.1A removing the interest rate ceiling on home loans secured by first mortgages or deeds of trust without a time limit, with a favorable report.

On motion of Senator Lawing, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

By Senator Allsbrook for the **Constitutional Amendments Committee:**

H. B. 100, Committee Substitute for **H. B. 100**, a bill to amend the Constitution of North Carolina to insure the continuation of the policy of a balanced budget, with a favorable report, as amended.

By Senator Stallings for the **Education Committee:**

H. B. 1147, a bill authorizing a principal to delegate responsibilities and duties to an assistant principal, with a favorable report.

By Senator Rauch for the **Finance Committee:**

S. B. 160, a bill to amend G. S. 120-47.6 and G. S. 120-47.7 to require biannual lobbyist reports, and to make other changes in Article 9A of G. S. Chapter 120, with an unfavorable report as to Committee Substitute bill No. 1, favorable as to Committee Substitute bill No. 2.

On motion of Senator Rauch, the rules are suspended and Committee Substitute bill No. 2 is placed on today's Calendar.

S. B. 537, a bill to amend G. S. 105-446.3 to provide motor fuel tax refunds for private nonprofit transportation service and taxicabs, with a favorable report.

On motion of Senator Rauch, the bill is re-referred to the **Ways and Means Committee.**

S. B. 616, a bill to amend G. S. 7A-304(a)(1) and G. S. 7A-311(a)(1) to increase the fee for service of criminal and civil process, with an unfavorable report.

S. B. 708, a bill to exclude from inheritance taxation the amount of seventy thousand dollars paid as a result of a military family protection, or survivor benefit plan, with a favorable report.

On motion of Senator Rauch, the bill is re-referred to the **Ways and Means Committee.**

S. B. 747, a bill to replace revenue lost by municipalities and counties by reason of taxation at reduced valuation of residential property of elderly and handicapped persons with low or moderate incomes, with a favorable report.

On motion of Senator Rauch, the bill is re-referred to the **Ways and Means Committee.**

S. B. 794, a bill to increase filing fees for securities registration statements, securities dealers, and securities salesmen, with an unfavorable report.

S. B. 799, a bill to amend Chapter 433 of the 1977 Session Laws which allows certain counties to increase their license tax levy on motor vehicles by deleting Transylvania County therefrom, with a favorable report.

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 234, a bill to amend General Statutes Chapter 110, Article 9 (Child Support) to transfer from the clerk of superior court to the county Department of Social Services responsibility for receiving certain payments for child support and to delete the requirement for confidentiality of support agreements, with a favorable report.

On motion of Senator Allsbrook, the bill is placed on the Calendar for Monday, June 13.

S. B. 448, a bill to amend Article 7 of Chapter 110 of the General Statutes entitled "Day-Care Facilities" to change the penalty for violation and to provide assistance in the supression of unlicensed day-care facilities, with a favorable report, as amended.

H. B. 579, a bill to amend G. S. 47-71.1 so as to validate corporate deeds made prior to January 1, 1975, on which the corporate seal was omitted, with a favorable report.

By Senator Childers for the **Manufacturing, Labor and Commerce Committee:**

S. B. 413, a bill to amend the Workmen's Compensation Act regarding notice of accidents to the employer, without prejudice.

On motion of Senator Childers, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

H. B. 727, a bill to amend the Workmen's Compensation Act with respect to benefits for permanent and total disability, with a favorable report.

On motion of Senator Childers, the bill is re-referred to the **Finance Committee.**

H. B. 728, a bill to amend the Workmen's Compensation Act regarding compensation for disfigurement and loss of important organs or parts of the body, with a favorable report.

On motion of Senator Childers, the bill is re-referred to the **Insurance Committee.**

H. B. 990, Committee Substitute for **H. B. 990**, a bill to make amendments to the Motor Vehicle Dealers and Manufacturers Licensing Law, with a favorable report.

H. B. 1159, a bill to authorize the Commissioner of Labor to waive the provisions of the Child Labor Regulations Law when in his opinion the safety or health of the minor would not be adversely affected, with a favorable report.

By Senator Webster for the **Public Utilities and Energy Committee:**

S. B. 687, a bill to amend G. S. 62-268 to provide that motor carriers may satisfy the financial responsibility requirements of the Utilities Commission through one or more insurers, with a favorable report.

On motion of Senator Webster, the bill is re-referred to the **Insurance Committee.**

S. B. 783, a bill to amend G. S. 62-140 to permit the payment of certain commissions to motels, hotels, and hospitals by telephone utilities for the handling of intrastate telephone toll calls, with a favorable report.

H. J. R. 1186, a joint resolution urging the North Carolina Utilities Commission to investigate, study, and consider lifeline rates for essential use

of electricity and natural gas by residential users, with a favorable report, as amended.

By Senator Henley for the **Rules and Operation of the Senate Committee:**

S. R. 559, a Senate resolution amending the permanent Rules of the 1977 Senate, with recommendation that it be adopted.

S. J. R. 822, a joint resolution to provide for a study by the Legislative Research Commission concerning the financing of water resources development projects, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senators Gray, Royall, Stallings, Winters, Henley, Hardison, and Garrison:

S. J. R. 830, a joint resolution establishing a study commission to determine the feasibility of providing a tax shelter for employee contributions to the Teachers' and State Emplyoees' Retirement System of North Carolina.
Referred to **Special Committee on Ways and Means.**

By Senator Garrison:

S. B. 832, a bill providing for mandatory prison confinement for any person convicted of more than one felony.
Referred to **Judiciary II Committee.**

By Senator White:

S. B. 833, a bill creating a Consumer Products Safety Commission.
Referred to **Special Committee on Ways and Means.**

By Senator Soles:

S. B. 834, a bill to amend Article VI, Section 9(1) of the North Carolina Constitution to permit dual office holding as authorized by the General Assembly.
Referred to **Constitutional Amendments Committee.**

By Senator Rauch:

S. B. 835, a bill to amend Article 8, Chapter 90 of the General Statutes relating to chiropractors to grant authority for the increase of fees.
Referred to **Finance Committee.**

By Senator Palmer:

S. B. 836, a bill to amend Chapter 127A of the General Statutes to provide for the awarding of civilian service medals and awards for services rendered to the North Carolina National Guard.
Referred to **Veterans and Military Affairs Committee.**

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By Senator Lake:

S. B. 837, a bill to establish a statute of limitations for actions alleging deprivation of rights under color of State law.

Referred to **Judiciary I Committee.**

By Senator Lake:

S. B. 838, a bill to establish a statute of limitations for actions alleging unlawful discrimination employment practices.

Referred to **Judiciary I Committee.**

By Senator Wynne:

S. B. 839, a bill requiring heads of State departments to report possible violations of the criminal statutes involving misuse of State property to the State Bureau of Investigation.

Referred to **Judiciary II Committee.**

By Senator Henley:

S. B. 840, a bill to establish a commission on legislative space needs and to appropriate necessary funds to plan and construct a legislative office building.

Referred to **Appropriations Committee.**

By Senators Swain and Crawford:

S. B. 843, a bill to amend "The North Carolina Metropolitan Sewerage Districts Act," G. S. 162A-66 and G. S. 162A-68 to provide that certain petitions thereunder must be signed by qualified voters rather than freeholders.

Referred to **Judiciary I Committee.**

By Senators Jordan, Palmer, and Scott:

S. B. 844, a bill to amend G. S. Chapter 105 to bestow tax-exempt status on certain property of educational, scientific, literary, and charitable organizations.

Referred to **Finance Committee.**

By Senators Gray, Marvin, Mathis, and Sebo:

S. B. 845, a bill to amend G. S. 115-205.11 to provide for the allocation of kindergarten program funds to county and city boards of education based upon the average daily membership for the best continuous three out of the first four school months of pupils in the kindergarten program during the last school year in that respective school administrative unit.

Referred to **Appropriations Committee.**

CONFERENCE REPORT

H. B. 205

Senator Stallings, for the Conferees appointed to consider the differences arising between the Senate and House of Representatives upon **H. B. 205,** a bill to provide for annual testing in the public schools in order to assess the effectiveness of the educational process, submits the following report:

To the President of the Senate and the Speaker of the House of Representatives:

We, the Conferees appointed to consider and resolve the difference between the two bodies with respect to **H. B. 205,** a bill to provide for annual testing in the public schools in order to assess the effectiveness of the educational process, respectfully report that we have conferred and agreed as follows:

To combine Amendments No. 1 and No. 2, which will change Section 1 to read as follows:

"Purpose. In order to assess the effectiveness of the educational process, and to insure that each pupil receives the maximum educational benefit from the educational process, the State Board of Education shall implement an annual statewide testing program in basic subjects. It is the intent of this testing program to help local school systems and teachers identify and correct student needs in basic skills rather than to provide a tool for comparison of individual students or to evaluate teacher performances. The first statewide testing program shall be conducted prior to the end of the 1977-78 school year for the first, second, third, sixth and ninth grades, provided that criterion reference tests shall be used in the first and second grades and norm reference tests shall be used in the testing program in grades 3, 6 and 9. Students in these grade levels who are enrolled in special education programs or who have been officially designated as eligible for participation in such programs may be excluded from the testing programs."

AND FURTHER CONCUR in Amendment No. 3 which reads as follows:

"to amend the bill on page 3, lines 10 and 11, by deleting the comma after the word 'achievement' at the end of line 10 inserting a period and by deleting the words 'and reading capacity' and 'and' on line 11, and by deleting the words 'ability of students in basic skills and subjects'."

AND DO NOT CONCUR in Amendment No. 4 which reads as follows:

"to amend the bill on page 1, line 6 by deleting the words 'effectiveness of the educational process,' and inserting in lieu thereof the words 'educational progress of the individual student',"

AND FURTHER CONCUR in Amendment No. 5 which reads as follows:

"to amend the bill on page 2, lines 2, 8, 11, 13, 15, 22, and 23, and on page 3, lines 7, 9, 13, 16, 21, and 26 and on page 4, lines 2 and 12 by deleting words 'Test Selection' and inserting in lieu thereof the word 'Testing'."

June 9, 1977

AND FURTHER CONCUR after correcting an error by changing the word "Education" to "Instruction" in Amendment No. 6 which reads as follows:

"to amend the bill on page 5, line 11 by replacing the period after the word 'Assembly' with a comma and adding the following: 'but nothing herein contained shall be construed to obligate the General Assembly to appropriate additional funds to the Department of Public Instruction.'"

AND FURTHER CONCUR in Amendment No. 7 which reads as follows:

"to amend the bill on page 5, line 19, by deleting the words 'upon ratification' and substituting in lieu thereof 'July 1, 1977.'"

And, to this end, we the said Conferees, recommend that the House of Representatives and the Senate adopt this Conference Rport.

D. L. STALLINGS
RUSSELL WALKER
RALPH SCOTT
Conferees on the part of the Senate

DWIGHT W. QUINN
A. HARTWELL CAMPBELL
PATRICIA S. HUNT
Conferees on the part of the House of Representatives

On motion of Senator Stallings, the Conference Report is adopted and a message is ordered sent to the House of Representatives informing the Honorable Body of such action.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special mesage is received from the House of Representatives:

H. B. 205

HOUSE OF REPRESENTATIVES
June 9, 1977

Mr. President:

It is ordered that a message be sent to your Honorable Body with the information that the House has adopted the report of the Conferees on **H. B. 205**, a bill to provide for annual testing in the public school in order to assess the effectiveness of the educational process, to the end that when a similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,
GRACE A. COLLINS
Principal Clerk

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 276, Committee Substitute for S. B. 276, a bill to provide for the regulation of health maintenance organizations in North Carolina.
Referred to **Insurance Committee.**

H. B. 423, Committee Substiutte for **H. B. 423,** a bill to rewrite G. S. 14-399 relating to the crime of littering.
Referred to **Judiciary I Committee.**

H. B. 874, a bill to redefine "tipped employee" and to require that certain conditions must be met in order for the employer to qualify for "tip credit."
Referred to **Manufacturing, Labor and Commerce Committee.**

H. B. 985, a bill to increase the membership of the Textbook Commission.
Referred to **Education Committee.**

H. B. 1032, a bill relating to penalty for welfare fraud.
Referred to **Judiciary II Committee.**

H. B. 1046, Committee Substitute for **H. B. 1046,** a bill to authorize withdrawal of erroneous bids on public construction contracts.
Referred to **State Government Committee.**

H. B. 1117, a bill to amend Article 7 of G. S. Chapter 113A so as to restrict the Coastal Resources Commission's authority to designate areas of environmental concern, to provide for more effective permit coordination and to strengthen the role of local governments under the Coastal Area Management Act.
Referred to **Natural and Economic Resources Committee.**

H. B. 1129, a bill to amend Chapter 90 of the General Statutes to require certain physicians and hospitals to report certain wounds, injuries and illnesses.
Referred to **Judiciary I Committee.**

H. B. 1169, a bill to prohibit a landlord, owner, or agent from refusing to rent or sell his premises to a visually handicapped person because he has a guide dog.
Referred to **Human Resources Committee.**

H. B. 1183, a bill to provide for special treatment of all youthful offenders and establish special parole consideration for committed youthful offenders.
Referred to **Judiciary I Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 160, Committee Substitute No. 2 for S. B. 160, a bill to amend G. S. 120-47.6 and G. S. 120-47.7 to require biannual lobbyist reports, and to make other changes in Article 9A of G. S. Chapter 120.

On motion of Senator Rauch, the Committee Substitute bill No. 2 is adopted, and on his further motion is re-referred to the **Appropriations Committee.**

S. B. 220, a bill to clarify the North Carolina Foreign Trade Zone Act.

On motion of Senator Smith of New Hanover, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 459, Committee Substitute for S. B. 459, a bill to promote and protect the welfare of the people of the State of North Carolina by prevention and elimination of discriminatory employment practices and policies based upon race, color, religion, national origin, age, sex, or handicap.

The Committee Substitute bill passes its second reading.

Senator Swain objects to the third reading of the Committee Substitute bill.

Senator Sebo moves that the rules be suspended to the end that the Committee Substitute bill be considered upon third reading, which motion fails to prevail.

The Committee Substitute bill remains on the Calendar upon third reading.

S. B. 527, a bill to amend the effective date of Chapter 123 of the Session Laws of 1975 relating to payments from the State fund for medical assistance, for concurrence in the House amendment.

On motion of Senator Henley, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 558, Committee Substitute for S. B. 558, a bill relating to the charges or interest which may be charged with respect to open-end accounts, upon third reading.

The Committee Substitute bill passes its third reading and is ordered sent to the House of Representatives.

S. B. 575, Committee Substitute for S. B. 575, a bill to amend Chapter 62 of the General Statutes to restate and clarify the procedure for fixing public utility rates, as amended, upon third reading.

The Committee Substitute bill, as amended, passes its third reading and is ordered engrossed and sent to the House of Representatives.

S. B. 585, a bill to clarify the term "interstate business" in G. S. 105-113.9.

On motion of Senator Wynne, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third reading and is ordered engrossed and sent to the House of Representatives.

S. B. 650, a bill to authorize the use of Powell Bill Funds for bikeway purposes.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 695, a bill to provide for the interchange of governmental employees to be known as the North Carolina Interchange of Governmental Employees Act of 1977.

On motion of Senator Winters, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 697, a bill to amend G. S. 55A-15 to authorize nonprofit hospital corporations to purchase officers and directors liability insurance, upon third reading.

The bill passes its third reading by roll-call vote, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Crawford, Daniels, Davis, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Swain, Totherow, Walker, White, and Wynne — 36.

The bill is ordered sent to the House of Representatives.

S. B. 713, a bill to alter the authority of the Board of Governors of the University of North Carolina with respect to the licensing of degree-granting educational institutions.

On motion of Senator Wynne, consideration of the bill is postponed until Monday, June 13.

S. B. 735, Committee Substitute for S. B. 735, a bill to allow cities and counties with ABC stores to vote on the sale of mixed beverages in social establishments and restaurants seating at least 36.

On motion of Senator Smith of New Hanover, consideration of the Committee Substitute bill is postponed until Tuesday, June 14.

S. B. 778, a bill requiring savings and loan and building and loan associations to furnish shareholders an annual financial statement, upon third reading.

The bill passes its third reading and is ordered sent to the House of Representatives.

S. R. 813, a Senate resolution directing the Legislative Research Commission to study revision and recodification of Chapter 115A of the General Statutes, entitled "Community Colleges, Technical Institutes, and Industrial Education Centers".

On motion of Senator Wynne, the Senate resolution is adopted. (The text of this resolution appears in the Appendix.)

S. B. 816, a bill to create the Wanchese Harbor Citizens Advisory Council, and to establish the duties and responsibilities of the Council.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 323, Committee Substitute for **H. B. 323,** a bill to reenact G. S. 24-1.1A removing the interest rate ceiling on home loans secured by first mortgages or deeds of trust without a time limit.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 399, Committee Substitute for **H. B. 399,** a bill to establish the North Carolina Code Officials Qualification Board and to provide for more even enforcement of the State Building Code throughout North Carolina, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 37, noes 5, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Royall, Sebo, Sharpe, Smith of Guilford, Soles, Swain, Totherow, Whichard, White, Winters, and Wynne — 37.

Those voting in the negative are: Senators Daniels, Renfrow, Somers, Speed, and Webster — 5.

The Committee Substitute bill remains on the Calendar upon third reading.

H. B. 699, Committee Substitute for **H. B. 699,** a bill to continue the North Carolina Environmental Policy Act.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 770, a bill to redefine the corporate limits of the Town of Mesic, upon second reading.

The bill passes its second reading by roll-call vote, ayes 31, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Ballenger, Barnes, Britt, Daniels, Davis, Gray, Hardison, Harrington, Harris, Hill, Jordan, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Swain, Totherow, Vickery, Walker, White, Winters, and Wynne — 31.

The bill remains on the Calendar upon third reading.

H. B. 948, a bill to clarify the Retail Installment Sales Act regarding security interests in property sold under revolving charge account contracts, as amended, upon third reading.

Senator Barnes offers Amendment No. 2 which is adopted.

The bill, as amended, passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate amendments.

H. B. 998, Senate Committee Substitute for **H. B. 998,** a bill amending G. S. 24-14 relating to loans secured by secondary or junior mortgages, upon third reading.

Senator Totherow moves that consideration of the Senate Committee Substitute bill be postponed until Monday, June 13.

Senator Garrison offers a substitute motion that the Senate Committee Substitute bill be removed from today's Calendar and placed on the Calendar for tomorrow, June 10, which motion prevails.

H. B. 1050, a bill to revive and improve certain provisions of Chapter 75 of the General Statutes, to protect the citizens of North Carolina from unfair, unethical, deceptive and unscrupulous business practices.

On motion of Senator Hardison, the bill is re-referred to the **Judiciary II Committee.**

H. B. 1097, a bill to amend G. S. 160A-288 to allow increased mutual assistance between law enforcement agencies.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1115, a bill to increase the membership of the Private Protective Services Board.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1135, a bill to amend Article 26 of Chapter 116 relating to self-insurance program for health care liability claims, upon third reading.

The bill passes its third reading by roll-call vote, ayes 34, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Daniels, Davis, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Royall, Sharpe, Smith of Guilford, Soles, Somers, Speed, Swain, Totherow, White, and Wynne — 34.

The bill is ordered enrolled.

H. B. 1275, a bill to repeal Chapter 1073 of the 1951 Session Laws relating to the publication of certain records in Sampson County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1284, a bill to provide for the nomination and election of the members of the Board of Education of Onslow County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1294, a bill to prohibit hunting in Sam Brown Park in Alleghany County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1295, a bill relating to the game of "bingo" in Chowan County.

The bill passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

June 9, 1977

S. B. 45, House Committee Substitute for S. B. 45, an act to permit a person's life to be insured for the benefit of his or her spouse or children or both.

S. B. 83, Committee Substitute for S. B. 83, an act to amend G. S. 95-87 by raising the State minimum wage to two dollars and thirty cents per hour.

S. B. 408, an act to require insurance companies to furnish fire officials information relating to investigations of property fire losses.

S. B. 417, an act to allow workmen's compensation payments in certain cases pending appeal.

H. B. 204, an act providing for the adoption and use of tests to assure that high school graduates possess skills and knowledge necessary to function in society.

H. B. 331, an act to amend the Uniform Boll Weevil Eradication Act, Article 4F of Chapter 106.

H. B. 452, an act to amend G. S. 25A-23 to allow the seller of agricultural products to take a security interest in agricultural property.

H. B. 506, an act to provide for four additional members on the Emergency Medical Services Advisory Council.

H. B. 624, an act to expand the Youth Advisory Council and to provide for the terms of members of the Council.

H. B. 729, an act to amend the Workmen's Compensation Act regarding medical privilege.

H. B. 1006, an act to reorganize the Marine Fisheries Commission and the Commercial and Sports Fisheries Committee.

H. B. 1034, an act to expand the membership and powers of the North Carolina Historical Commission.

H. B. 1094, an act to amend the definition of "public enterprise" relating to cities and counties to include public transportation systems.

H. B. 1123, an act to make it unlawful to take clams on oyster rocks by use of rakes or tongs or any other device which will disturb oysters; and to require the Department of Natural and Economic Resources to post oyster rocks to forbid the taking of clams in the above-described manner.

H. B. 1174, an act to provide for one representative from each congressional district on the Social Services Commission.

H. B. 1194, an act to modify the provisions of Article 4A of G. S. Chapter 160A, regarding the proration of municipal taxes upon annexation.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 10:00 A.M.

June 9, 1977

ONE HUNDRED EIGHTH DAY

SENATE CHAMBER,
Friday, June 10, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we thank Thee that this is such a good day for so many of us, and help us to remember and unite our prayers on behalf of all those to whom sorrow and tragedy have come. Though they may not know why such experiences come, help them to find in Thee all needed comfort, strength and courage. For Thy name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Vickery for today. Leaves of absence granted previously to Senators Gray, Stallings, and Somers are noted.

S. B. 787, a bill to protect the credit rating of consumers who voluntarily surrender to a creditor certain mortgaged personal property.

On motion of Senator Winters, the rules are suspended and the bill is taken from the **Judiciary I Committee** and re-referred to the **Banking Committee.**

H. B. 1073, a bill to amend Chapter 18A of the General Statutes to permit the sale of wine cocktails in Grade A Restaurants with on-premises wine permits.

On motion of Senator Lawing, the rules are suspended and the bill is taken from the **Judiciary I Committee** and re-referred to the **Alcoholic Beverage Control Committee.**

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rauch for the **Finance Committee:**

S. B. 211, a bill to provide to individuals and corporations tax credits in respect to purchases of certain energy conservation items, without prejudice.

On motion of Senator Rauch, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 324, a bill to classify solar energy systems for ad valorem tax purposes, without prejudice.

On motion of Senator Rauch, the rules are suspended, and the bill is placed before the Senate for immediate consideration and on his further motion is postponed indefinitely.

S. B. 580, Committee Substitute for S. B. 580, a bill to promote and encourage the conservation of energy by providing a tax credit for installation of solar hot water, heating and cooling systems, by providing a tax credit for installation of home insulation, storm windows and storm doors, by managing and controlling energy use by improved enforcement of the State building code insulation requirements, by reporting of available petroleum supplies, and by prohibiting the use of master meters for electricity and natural gas in new multi-unit residential dwelling units, with a favorable report, as amended.

On motion of Senator Rauch, the rules are suspended and the bill is placed before the Senate for immediate consideration, and on his further motion Committee Amendments No. 1 and No. 2 are adopted.

On motion of Senator Rauch, the Committee Substitute bill, as amended, is re-referred to the **Ways and Means Committee.**

S. B. 679, a bill amending G. S. 159-48(c) to authorize each county to borrow money and issue its bonds under the Local Government Bond Act in evidence thereof to provide the local share of cost of improvements to subdivisions and residential streets pursuant to G. S. 153A-205, wih a favorable report.

S. B. 680, a bill to impose the one percent, eighty dollar maximum sales and use tax rate upon certain sales of mill machinery to contractors, with a favorable report, as amended.

On motion of Senator Rauch, the rules are suspended and the bill is placed before the Senate for immediate consideration and on his further motion Committee Amendment No. 1 is adopted.

On motion of Senator Rauch, the bill, as amended, is re-referred to the **Ways and Means Committee.**

S. B. 685, a bill to amend the Housing Authoriites Law, Article 1 of Chapter 157 of the General Statutes, with respect to G. S. 157-9, G. S. 157-15, G. S. 157-17, G. S. 157-25 and G. S. 157-26 thereof, with a favorable report.

S. B. 766, a bill to impose a privilege license tax upon moving picture machines, with a favorable report, as amended.

On motion of Senator Rauch, the rules are suspended and the bill is placed before the Senate for immediate consideration and on his further motion Committee Amendment No. 1 is adopted.

On motion of Senator Rauch, the bill, as amended is re-referred to **Ways and Means Committee.**

S. B. 795, a bill to increase license fees for premium finance companies, collection agencies, and motor clubs, with an unfavorable report.

H. B. 1075, a bill to amend G. S. 20-81.2 to further define requirements of special license plates for historic vehicles, with a favorable report.

By Senator Harris for **Human Resources Committee:**

S. B. 811, a bill to change the membership of the Council on Developmental Disabilities so as to conform to federal law, with a favorable report.

On motion of Senator Harris the bill is re-referred to the **Appropriations Committee.**

H. B. 53, a bill to transfer the North Carolina Drug Commission to the Department of Human Resources, with an unfavorable report as to bill, favorable as to Senate Committee Substitute blil.

On motion of Senator Harris, the rules are suspended, and the Senate Committee Substitute bill is placed on today's Calendar.

H. B. 319, Committee Substitute for **H. B. 319,** a bill to disqualify from service on the Commission for the Blind those individuals who could profit from the decisions of the Commission, with a favorable report.

H. B. 370, Committee Substitute No. 2 for **H. B. 370,** a bill to authorize health services for minors, with a favorable report.

H. B. 467, Committee Substitute for **H. B. 467,** a bill to rewrite portions of Chapter 122 of the General Statutes of North Carolina dealing with area mental health programs and to repeal Articles 2A, 2C, and 2E of G. S. Chapter 122 which deal with current local mental health and area mental health programs, with a favorable report.

H. B. 514, a bill to amend the Child Abuse and Neglect Laws to provide for the time limits for investigation, mandatory notification of reporter after investigation, professional reporting responsibility of staff of day care centers, court review of decisions to return children to parents, and for a statewide protective services plan developed by the Department of Human Resources, with an unfavorable report as to bill, favorable as to Senate Committee Substitute bill.

On motion of Senator Harris, the rules are suspended and the Senate Committee Substitute bill is placed on today's Calendar.

By Senator Britt for the **Judiciary II Committee:**

S. B. 689, a bill to amend the provisions of Chapter 25A relating to preservation of consumers' claims and defenses, with a favorable report, as amended.

S. B. 760, a bill to amend Chapters 7A and 48 of the General Statutes relating to adoptions and termination of parental rights, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Britt, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S. B. 827, a bill making the breaking into paper currency-operated dispensing machines a felony, with a favorable report.

S. B. 841, a bill to amend G. S. 15A-1002(a) so as to require specificity in motions questioning the capacity of a criminal defendant to proceed, with a favorable report.

S. B. 842, a bill to prescribe the essentials of bills of indictment for rape, with a favorable report.

By Senator Childers for the **Manufacturing, Labor, and Commerce Committee:**

S. B. 485, a bill to increase representation on the OSHA Advisory Council, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Childers, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

H. B. 739, a bill to amend G. S. 97-83 of the Workmen's Compensation Act concerning Industrial Commission hearings, with an unfavorable report as to bill, favorable as to Senate Committee Substitute bill.

On motion of Senator Childers, the rules are suspended, and the Senate Committee Substitute bill is placed on today's Calendar.

By Senator Henley for the **Rules and Operation of the Senate Committee:**

S. J. R. 331, a joint resolution congratulating and commending the Wake Forest-Rolesville High School boys' and girls' basketball teams for their excellent performances during the 1976-77 basketball season, with a favorable report.

On motion of Senator Henley, the rules are suspended, and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second and third readings and is ordered, without objection, sent to the House of Representatives, by special messenger.

S. J. R. 818, a joint resolution creating a commission for the study of the North Carolina motor vehicle laws, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Henley, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

By Senator Royall for the **Special Committee on Ways and Means:**

S. J. R. 752, a joint resolution expressing the intent of the General Assembly to allow the Department of Natural and Economic Resources to accept federal funds for the planning and development of a State Park on the French Broad River, with a favorable report.

S. B. 753, a bill to include the Research Triangle Institute as one of the organizations to which the provisions of Article 3C of Chapter 143 of the General Statutes do not apply, with a favorable report.

June 10, 1977

On motion of Senator Royall, the bill is re-referred to the **Appropriations Committee.**

S. J. R. 771, a joint resolution establishing a commission to study the need for and determine what action, if any, is necessary to develop an endangered and threatened species program in North Carolina, with a favorable report.

S. B. 775, a bill to establish a Jobs for Veterans Committee within the Department of Administration, Division of Veterans Affairs, to assume the duties of the Governor's Jobs for Veterans Committee and to assist veterans in obtaining employment, with a favorable report.

On motion of Senator Royall, the bill is re-referred to the **Appropriations Committee.**

S. B. 789, a bill to provide for one representative from each congressional district on the Veterans' Affairs Commission and to make other conforming changes, with a favorable report, as amended.

S. B. 801, a bill to amend G. S. 135-6 to increase the membership of the Board of Trustees of the Teachers' and State Employees' Retirement System of North Carolina as recommended by the Legislative Research Commission's Committee on Retirement Systems Matters, with a favorable report.

S. B. 819, a bill to allow the Secretary of Human Resources to set the amounts of fees collected for certified copies of certain vital statistics records, and to set the amounts of fees for public water supply examinations, with a favorable report.

On motion of Senator Royall, the bill is re-referred to the **Finance Committee.**

H. B. 1072, a bill to amend the retirement laws to provide the death benefit for members finishing the work year in which they turn 65, with a favorable report.

H. B. 1076, a bill relating to primary forest product assessment, with a favorable report.

H. B. 1077, a bill relating to forest development in North Carolina, with a favorable report.

H. B. 1167, a bill to transfer the historic Seaboard Coastline Building to the control of the Department of Cultural Resources to be used as a Railroad Museum and for other purposes, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senators Scott and Stallings:

S. B. 846, a bill to unify the program and fiscal functions of the State Board of Education.

Referred to **Ways and Means Committee.**

By Senator Lawing:

S. B. 847, a bill to provide that the acceptance of Medicaid constitutes an assignment to the State of right to third party insurance benefits and to prescribe procedure for recovery of said benefits.

Referred to **Special Committee on Ways and Means.**

By Senators Renfrow, Scott, White, Marvin, Speed, Gray, Childers, Wynne, and Stallings:

S. J. R. 848, a joint resolution directing the Legislative Research Commission to complete the recodification of North Carolina's Public School Laws.

Referred to **Special Committee on Ways and Means.**

By Senators Raynor and Crawford:

S. J. R. 849, a joint resolution creating the Commission on the Study of the Necessity and Efficiency of Retaining Regional Offices in the Department of Human Resources.

Referred to **Special Committee on Ways and Means.**

By Senator Davis:

S. B. 850, a bill to amend Chapter 44A of the General Statutes to require a notice of lis pendens be filed in each county in which the lien is filed, except the county in which the action enforcing the lien is commenced, within 180 days after the last furnishing of labor or materials at the site of the improvement by the person claiming the lien in order to be entitled to the priorities under the provisions of G. S. 44A-14(a).

Referred to **Judiciary II Committee.**

By Senator Hardison:

S. B. 851, a bill to amend Chapter 135 of the General Statutes to allow certain retired clerks of Superior Court to transfer to the Uniform Clerks of Superior Court Retirement System.

Referred to **Appropriations Committee.**

By Senator Lake:

S. B. 852, a bill to amend G. S. 130-205 and G. S. 72-48.1 to clarify the circumstances under which health officials may seek injunctions against violators or threatened violators of public health and sanitation laws.

Referred to **Judiciary I Committee.**

By Senator Whichard:

S. B. 853, a bill to amend Chapter 17A of the General Statutes by redefining purpose and application, renaming the Criminal Justice Training and Standards Council, and altering membership.

Referred to **Criminal Justice Committee.**

By Senator Whichard:

S. B. 854, a bill to supplement Chapter 17A of the General Statutes by designating specific prohibited actions to be misdemeanors with enforcement procedures and criminal penalties for violations.

Referred to **Judiciary I Committee.**

By Senators Allsbrook and White:

S. B. 855, a bill to revise and consolidate the Charter of the Town of Princeville and to repeal prior local acts.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Stallings:

S. B. 856, a bill to provide for the appointment of members to the Craven County Board of Alcoholic Control by the Craven County Board of County Commissioners.

Referred to **Alcoholic Beverage Control Committee.**

By Senators Marion, Kincaid, Sharpe, and Walker:

S. J. R. 857, a joint resolution congratulating American Drew, Inc., of North Wilkesboro, a Sperry and Hutchinson Company, on its 50th Anniversary.

Referred to **Rules and Operation of the Senate Committee.**

By Senators Henley, Mathis, Sharpe, Childers, Winters, Hill, Ballenger, Palmer, Swain, Somers, and Hardison:

S. J. R. 858, a joint resolution requesting Congress to propose an amendment to the Federal Constitution to require that the total of all federal appropriations not exceed the total of all estimated federal revenues in any fiscal year, with certain exceptions.

Referred to **Rules and Operation of the Senate Committee.**

By Senator Henley:

S. B. 859, a bill to exempt the chief administrator of a school unit from the G. S. 14-269.2 prohibition against carrying weapons.

Referred to **Judiciary II Committee.**

By Senator Combs:

S. J. R. 860, a joint resolution creating a committee for the study of the laws relating to the conservation of wildlife resources in order to make recommendations to the General Assembly for revision and consolidation.

Referred to **Rules and Operation of the Senate Committee.**

June 10, 1977

By Senator Winters:

S. B. 861, a bill to create the Wendell-Knightdale Airport Authority.
Referred to **Local Government and Regional Affairs Committee.**

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. B. 1179, Committee
Substitute for H. B. 1179

H. B. 1179, a bill to authorize the issuance of two hundred thirty million dollars in bonds of the State to provide funds for environmental improvement through grants to units of government for construction and improvement of wastewater treatment works, wastewater collection systems and water supply systems.
Referred to **Finance Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A mesage is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 655, a bill authorizing the Pitt County Board of Commissioners to hold a referendum of the electorate of Pitt County to determine whether Pitt County Technical Institute should be converted to a community college, for concurrence in the House amendment which is placed on the Calendar for Monday, June 13.

H. B. 1250, Committee Substitute for H. B. 1250, a bill to provide for the election of county commissioners for Richmond County.
On motion of Senator Garrison, the rules are suspended, and the Committee Substitute bill is placed before the Senate for immediate consideration.
The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 1278, a bill to correct an error in the Avery County Registry.
Referred to **Local Government and Regional Affairs Committee.**

H. B. 1353, a bill to amend Chapter 308, Session Laws of 1977 to correct errors relating to the election of members of the Goldsboro City Board of Education.
Referred to **Local Government and Regional Affairs Committee.**

H. B. 1464, a bill continuing in existence the Civil Service Commission of the City of High Point until June 30, 1977, notwithstanding the provisions of Chapter 248 of the Session Laws of 1977.

On motion of Senator Sebo, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 448, a bill to amend Article 7 of Chapter 110 of the General Statutes entitled "Day-Care Facilities" to change the penalty for violation and to provide assistance in the supression of unlicensed day-care facilities.

On motion of Senator Combs, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 459, Committee Substitute for S. B. 459, a bill to promote and protect the welfare of the people of the State of North Carolina by prevention and elimination of discriminatory employment practices and policies based upon race, color, religion, national origin, age, sex, or handicap, upon third reading.

Senator Allsbrook offers Amendment No. 1.

Senator Harris moves that the Committee Substitute bill and pending Amendment No. 1 do lie upon the table, which motion fails to prevail.

Amendment No. 1 fails of adoption.

Senator Britt offers Amendment No. 2 which is adopted.

Senator Sebo calls the previous question, duly seconded. The call is sustained.

The Committee Substitute bill, as amended, passes its third reading and is ordered engrossed and sent to the House of Representatives.

S. B. 485, Committee Substitute for S. B. 485, a bill to increase representation on the OSHA Advisory Council.

On motion of Senator Childers, the Committee Substitute bill is adopted, and on his further motion is postponed until Tuesday, June 14.

S. R. 559, a Senate resolution amending the permanent Rules of the 1977 Senate, for adoption.

On motion of Senator Hardison, the Senate resolution is adopted.

Rule 44 of the permanent Rules of the 1977 Senate reads as follows:

"Rule 44A. Floor amendments to bills bearing actuarial notes.—A floor amendment to a bill or resolution to which an actuarial note was attached at the time of committee consideration of the bill or resolution shall not be in order, if the amendment affects the costs to or the revenues of a retirement system, unless the amendment is accompanied by an actuarial note, prepared by the Fiscal Research Division, as to the actuarial effect of the amendment."

S. J. R. 578, Committee Substitute for **S. J. R. 578**, a joint resolution creating a Joint Legislative Commission to study the Revenue Laws of the State of North Carolina, and make recommendation to update the same.

The Committee Substitute joint resolution passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 598, Committee Substitute for **S. B. 598**, a bill to grant executor or trustee discretion to make distributions in cash or kind, without regard to federal income tax basis.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 651, Committee Substitute for **S. B. 651**, a bill to provide for regulation of bicycles.

On motion of Senator Swain, consideration of the Committee Substitute bill is postponed until Monday, June 13.

S. B. 715, Committee Substitute for **S. B. 715**, a bill to amend Article 9, Chapter 65 of the General Statutes relating to cemeteries.

The Committee Substitute bill passes its second reading.

On objection of Senator Lawing to its third reading the Committee Substitute bill remains on the Calendar.

S. B. 740, Committee Substitute for **S. B. 740**, a bill directing the Legislative Research Commission to study the insurance laws.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 760, Committee Substitute for **S. B. 760**, a bill to amend Chapters 7A and 48 of the General Statutes relating to adoptions and termination of parental rights.

On motion of Senator Britt, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Tuesday, June 14.

S. B. 783, a bill to amend G. S. 62-140 to permit the payment of certain commissions to motels, hotels, and hospitals by telephone utilities for the handling of intrastate telephone toll calls.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 799, a bill to amend Chapter 433 of the 1977 Session Laws which allows certain counties to increase their license tax levy on motor vehicles by deleting Transylvania County therefrom.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. J. R. 818, Committee Substitute for **S. J. R. 818**, a joint resolution directing the Legislative Research Commission to study the North Carolina motor vehicle laws.

On motion of Senator Henley, the Committee Substitute bill is adopted, and on his further motion is re-referred to the **Appropriations Committee.**

S. J. R. 822, a joint resolution to provide for a study by the Legislative Research Commission concerning the financing of water resources development projects.

The joint resolution passes its second and third readings and is ordered, without objection, sent to the House of Representatives, by special messenger.

H. B. 53, Senate Committee Substitute for H. B. 53, a bill to transfer the North Carolina Drug Commission to the Department of Human Resources.

On motion of Senator Harris, the Senate Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Tuesday, June 14.

H. B. 83, Senate Committee Substitute for H. B. 83, a bill to clarify the provisions of G. S. 66-58(c)(9) relating to the operation by the public schools of cafeterias.

The Senate Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives for consideration of the Senate Committee Substitute bill.

H. B. 100, Committee Substitute for H. B. 100, a bill to amend the Constitution of North Carolina to insure the continuation of the policy of a balanced budget, upon second reading.

On motion of Senator Hill, Committee Amendment No. 1 is adopted.

Senator Davis moves that the Committee Substitute bill, as amended, be removed from today's Calendar and re-referred to the **Constitutional Amendments Committee,** which motion fails to prevail.

Senator Hill moves that the vote by which Committee Amendment No. 1 was adopted be reconsidered, which motion prevails.

Senator Hill withdraws Committee Amendment No. 1.

Senator Hill offers Amendment No. 2 which is adopted.

On motion of Senator Allsbrook, consideration of the Committee Substitute bill, as amended, is postponed until Monday, June 13.

H. B. 308, a bill to amend Articles 14A through 14L of Chapter 54 of the General Statutes, relating to credit unions, upon second reading.

The bill passes its second reading by roll-call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Hardison, Harrington, Harris, Henley, Hill, Kincaid, Lake, Lawing, Marvin, McDuffie, Palmer, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Soles, Speed, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 41.

The bill remains on the Calendar upon third reading.

H. B. 399, Committee Substitute for H. B. 399, a bill to establish the North Carolina Code Officials Qualification Board and to provide for more even enforcement of the State Building Code throughout North Carolina, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 36, noes 4, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Davis, Garrison, Hardison, Harris, Henley, Hill, Kincaid, Lawing, Marion, Marvin, McDuffie, Palmer, Popkin, Rauch, Royall, Scott, Sebo, Sharpe, Soles, Speed, Swain, Totherow, Walker, Whichard, White, Winters, and Wynne — 36.

Those voting in the negative are: Senators Daniels, Renfrow, Smith of New Hanover, and Webster — 4.

The Committee Substitute bill is ordered enrolled.

H. B. 514, Senate Committee Substitute for **H. B. 514,** a bill to amend the child abuse and neglect laws to provide for mandatory notification of reporter after investigation, professional reporting responsibility for staff of day care centers, court review of decisions to return children to parents, and for a statewide protective services plan developed by the Department of Human Resources.

On motion of Senator Harris, the Senate Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Tuesday, June 14.

H. B. 579, a bill to amend G. S. 47-71.1 so as to validate corporate deeds made prior to January 1, 1975, on which the corporate seal was omitted.

The bill passes its second and third readings and is ordered enrolled.

H. B. 739, Senate Committee Substitute for **H. B. 739,** a bill to amend G. S. 97-83 of the Workmen's Compensation concerning Industrial Commission hearings.

On motion of Senator Childers, the Senate Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Tuesday, June 14.

H. B. 770, a bill to redefine the corporate limits of the Town of Mesic, upon third reading.

The bill passes its third reading by roll-call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Davis, Garrison, Hardison, Harris, Henley, Hill, Kincaid, Marion, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sebo, Sharpe, Smith of New Hanover, Soles, Speed, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 38.

The bill is ordered enrolled.

H. B. 990, Committee Substitute for **H. B. 990,** a bill to make amendments to the Motor Vehicle Dealers and Manufacturers Licensing Law, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 37, noes 2, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Davis, Garrison,

Hardison, Harrington, Harris, Henley, Lake, Marion, Marvin, McDuffie, Palmer, Popkin, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of New Hanover, Soles, Speed, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 37.

Those voting in the negative are: Senators Daniels and Kincaid — 2.

The Committee Substitute bill remains on the Calendar upon third reading.

H. B. 998, Senate Committee Substitute for **H. B. 998**, a bill amending G. S. 24-14 relating to loans secured by secondary or junior mortgages, upon third reading.

Senator Totherow offers Amendment No. 1.

Senator McDuffie moves that the Senate Committee Substitute bill and pending Amendment No. 1 be removed from today's Calendar and placed on the Calendar for Monday, June 13, which motion fails to prevail.

Senator Garrison calls the previous question, duly seconded. The call is sustained.

Amendment No. 1 is adopted.

The Senate Committee Substitute bill, as amended, passes its third reading and is ordered sent to the House of Representatives for consideration of the Senate Committee Substitute bill, without engrossment.

H. B. 1147, a bill authorizing a principal to delegate responsibilities and duties to an assistant principal.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1159, a bill to authorize the Commissioner of Labor to waive the provisions of the Child Labor Regulations Laws when in his opinion the safety or health of the minor would not be adversely affected.

On motion of Senator Childers, consideration of the bill is postponed until Tuesday, June 14.

H. J. R. 1186, a joint resolution urging the North Carolina Utilities Commission to investigate, study, and consider lifeline rates for essential use of electricity and natural gas by residential users.

On motion of Senator Webster, Committee Amendment No. 1 is adopted.

The joint resolution, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 446, an act to amend the Tort Claims Act to provide coverage for negligence and to raise the limits to one hundred thousand dollars.

S. B. 793, an act to amend Chapter 415, Session Laws of 1977, relating to the Civil Service Commission of the City of Asheville.

H. B. 489, Committee Substitute for H. B. 489, an act to amend Article V of the Constitution of North Carolina to authorize municipalities owning or operating electric systems and joint agencies composed of such municipalities to jointly or severally own, operate and maintain electric generation and transmission facilities with any person, firm, association or corporation. public or private, engaged in the generation, transmission or distribution of electric power and energy for resale within this State or any contiguous state, and to issue revenue bonds to finance the cost thereof, subject to the approval of the electorate.

H. B. 1135, an act to amend Article 26 of Chapter 116 relating to a self-insurance program for health care liability claims.

H. B. 1275, an act to repeal Chapter 1073 of the 1951 Session Laws relating to the publication of certain records in Sampson County.

H. B. 1284, an act to provide for the nomination and election of the members of the Board of Education of Onslow County.

H. B. 1294, an act to prohibit hunting in Sam Brown Park in Alleghany County.

H. B. 1295, an act relating to the game of "bingo" in Chowan County.

On motion of Senator Henley, the Senate adjourns to meet Monday at 7:00 P.M.

ONE HUNDRED NINTH DAY

SENATE CHAMBER,
Monday, June 13, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we would begin this evening's activities with a prayer of praise and thanksgiving. We thank Thee for the health which makes it possible for us to be here; for the duties that call for our attention and our best efforts; and for the assurance that when we seek it, we shall receive from Thee the insights and wisdom that are necessary for the intelligent performance of our work. For Thine is the kingdom, the power and the glory, forever. Amen.

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of Friday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

A leave of absence granted previously to Senator Hill is noted.

The President recognizes the following pages serving in the Senate this week: Rexanne Anderson, Whiteville; Doug Beach, Lenoir; Martha Brinn, Rocky Mount; Brooks Britt, Lumberton; Jay Bryant, Boonville; Catherine Dews, Winterville; Paige Draughon, Dunn; Keith Edwards, Spring Hope; Joe Frye, Mooresville; Alice Fuqua, Cary; Susan Gallman, Burlington; Sarah Holt, Fayetteville; Ben Johnson, Asheboro; Rita Joyner, Kinston; Sarah Lambert, Garner; Jimmy McLean, Durham; Anne Miller, Durham; Taina Moody, Asheboro; Brett Plummer, Tarboro; Debbie Pritchett, Fayetteville; Lynn Shuping, Raleigh; Keith Simmons, Lumberton; Guy Smith, Raleigh; Tammy Stocks, Winterville; Jay Temple, Dunn; Roy Tew, Dunn; Paula Warner, Raleigh; Ward Whitfield, Kinston; and John W. Winters III, Raleigh.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Wynne for the **Higher Education Committee:**

S. B. 710, a bill to amend G. S. 116-143 to provide that faculty and staff members of the University of North Carolina may enroll for tuition-free courses within the University, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Wynne, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

By Senator Allsbrook for **Judiciary I Committee:**

S. B. 154, Committee Substitute for **S. B. 154,** a bill to rewrite the law regarding wrongful death in order to resolve inconsistency and to provide for a logical distribution of a recovery, with a favorable report.

S. B. 382, a bill to proscribe the burglary of a facility in which controlled substances are sold, stored, or dispensed, and to provide the penalty therefor, with an unfavorable report.

S. B. 588, a bill to amend Chapter 74B of the General Statutes, the Private Protective Services Act, with an unfavorable report.

S. B. 663, a bill to provide for the taking into custody of dangerous fugitives from justice who present a threat of imminent death or serious bodily injury and flee from justice and evade arrest, with a favorable report.

S. B. 704, a bill to authorize the Attorney General to establish a paralegal classification within the Department of Justice, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Allsbrook, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

H. B. 930, a bill to include X-rays within the types of business and public records which may be destroyed after copies of the records have been recorded on microfilm or by another process which accurately reproduces or forms a durable medium for reproducing the original, with a favorable report.

H. B. 1005, Committee Substitute for H. B. 1005, a bill to amend Chapter 74B of the General Statutes, the Private Protective Services Act, with a favorable report.

H. B. 1054, a bill to amend Article 4, Chapter 114 of the General Statutes to provide for protection of public officials in certain instances by the North Carolina State Bureau of Investigation, with a favorable report.

By Senator Speed for the **Natural and Economic Resources Committee:**

H. B. 1119, a bill to reorganize the Department of Natural and Economic Resources as the Department of Natural Resources and Community Development; to create a North Carolina Employment and Training Council in the Department of Natural Resources and Community Development; and to make necessary conforming changes, with a favorable report, as amended.

On motion of Senator Speed, the rules are suspended and the bill is placed before the Senate for immediate consideration, and on his further motion Committee Amendment No. 1 is adopted.

On motion of Senator Speed, the bill, as amended, is re-referred to the **Appropriations Committee.**

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Lawing:

S. B. 862, a bill to amend Article 17 of Chapter 106 of the General Statutes to provide aggregate State service credit for agriculture, poultry, fruit, vegetable, and grain graders.

Referred to **Appropriations Committee.**

By Senator Jordan:

S. B. 863, a bill to prevent fraudulent and deceptive practices in the sale of business opportunities.

Referred to **Judiciary I Committee.**

By Senator Popkin:

S. B. 864, a bill to require owners and operators of business establishments to provide on-site compactors.

Referred to **Human Resources Committee.**

By Senator Smith of New Hanover:

S. B. 865, a bill to authorize a loan to the Battleship Commission in order to acquire the Blockade Runner Museum.

Referred to **Special Committee on Ways and Means.**

By Senators Mathis and Marvin:

S. B. 866, a bill to amend G. S. 95-86(3)b to delete superfluous language in the Minimum Wage Act regarding those employed in domestic service.

Referred to **Judiciary I Committee.**

By Senator Sebo:

S. J. R. 867, a joint resolution creating a Commission for the Study of Family Law.

Referred to **Appropriations Committee.**

By Senator Lawing:

S. B. 868, a bill to allow the incorporation and operation of banks for savings and loan associations and credit unions in North Carolina and to allow savings and loan associations and credit unions to invest in the stock of such banks.

Referred to **Banking Committee.**

By Senator Webster:

S. B. 869, a bill to amend Chapter 159B of the General Statutes to implement the provisions of Article V, Section 10 of the North Carolina Constitution.

Referred to **Public Utilities and Energy Committee.**

By Senators Royall, Hardison, Garrison, Rauch, Britt, Webster, Crawford, Barnes, Henley, Totherow, Whichard, Scott, and Palmer:

S. B. 870, a bill to appropriate funds for the establishment and operation of a facility to recycle oil used by the State of North Carolina and its political subdivisions.

Referred to **Appropriations Committee.**

By Senator Garrison:

S. B. 871, a bill to authorize political subdivisions of the State to utilize the State deferred compensation plan for employees of such political subdivisions.

Referred to **Special Committee on Ways and Means.**

By Senator Renfrow:

S. J. R. 874, a joint resolution honoring the memory of Dennis Wilbert Allen, a Four Oaks police officer who risked and lost his life in the line of duty.

On motion of Senator Renfrow, the rules are suspended and the joint resolution is placed on the Calendar for tonight.

June 13, 1977

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. B. 948

HOUSE OF REPRESENTATIVES
June 13, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate amendment to H. B. 948, a bill to be entitled an act to clarify the Retail Installment Sales Act regarding security interests in property sold under revolving charge account contracts, and requests conferees. The Speaker has appointed Representatives Bell, Short, and Cook on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,
GRACE A. COLLINS
Principal Clerk

Senator Lawing moves that the President appoint conferees, which motion prevails. The President appoints Senators Lawing, Barnes, and Garrison as conferees on the part of the Senate and a message is ordered sent to the House of Representaitves informing that Honorable Body of such action.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 90, House Committee Substitute for S. B. 90, a bill to establish standards for land parcel identifier numbers and to authorize the creation and maintenance of land records indexes by parcel identifier numbers.

Referred to **Judiciary II Committee.**

S. B. 109, a bill to amend Chapter 135 of the General Statutes to provide for the inclusion of employees of the North Carolina Art Society in the Teachers' and State Employees' Retirement System, for concurrence in the House amendment which is placed on the Calendar for Thursday, June 14.

S. B. 350, a bill to amend G. S. 6-21 relating to costs in civil actions, for concurrence in the House amendment which is placed on the Calendar for Tuesday, June 14.

S. B. 354, a bill to rewrite G. S. 14-46 relating to concealing the birth of a child, for concurrence in the House amendment which is placed on the Calendar for Tuesday, June 14.

S. B. 544, a bill to amend Article 7A of Chapter 54 of the General Statutes, relating to mutual deposit guaranty associations, for concurrence in the House amendment which is placed on the Calendar for Tuesday, June 14.

H. B. 426, Committee Substitute for H. B. 426, a bill to provide that restitution and reparation be incorporated as an integral part of the criminal justice system.

Referred to **Special Committee on Ways and Means.**

H. B. 632, Committee Substitute for H. B. 632, a bill to amend Chapter 105 of the General Statutes to provide for a tax rebate on fuels used in concrete mixers which do not propel such vehicle on the public highway.

Referred to **Finance Committee.**

H. B. 817, Committee Substitute for H. B. 817, a bill to abolish the Gastonia Industrial Diversification Tax and Commission.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 889, Committee Substitute for H. B. 889, a bill relating to the method of election and composition of Orange County Board of Education.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 921, a bill to amend G. S. 108-46 to require the county from which an AFDC recipient moves to pay the amount of assistance to which the recipient is entitled for a period of one month following the move.

Referred to **Special Committee on Ways and Means.**

H. B. 922, a bill to amend G. S. 108-47 relating to public assistance checks made payable to decedents.

Referred to **Special Committee on Ways and Means.**

H. B. 1024, a bill providing for the accurate identification of records ordered to be expunged.

Referred to **Judiciary II Committee.**

H. B. 1056, Committee Substitute for H. B. 1056, a bill to authorize changes in public building construction after initial design and to reduce the obligation of sureties on bid bonds.

Referred to **Special Committee on Ways and Means.**

H. B. 1057, Committee Substitute for H. B. 1057, a bill to revise G. S. 143-128 concerning separate specifications for branches of work in the construction of public buildings.

Referred to **Special Committee on Ways and Means.**

H. B. 1083, a bill to make clear the death benefit provided by the North Carolina Local Governmental Employees' Retirement System in group life insurance.

Referred to **Appropriations Committee.**

H. B. 1085, a bill to make clear the death benefit provided to teachers and State employees in group life insurance.

Referred to **Appropriations Committee.**

June 13, 1977

H. B. 1124, a bill to amend Article 24A of Chapter 58 of the General Statutes relating to mutual burial association.

Referred to **Special Committee on Ways and Means.**

H. B. 1144, a bill to clarify the authority of the Secretary of Correction to place an inmate on work release.

Referred to **Special Committee on Ways and Means.**

H. B. 1145, a bill to amend G. S. 148-60.3 to correct a technical error and to delete the seven days' notice requirement thereof.

Referred to **Special Committee on Ways and Means.**

H. B. 1172, a bill to alter the authority of the Board of Governors of the University of North Carolina with respect to the licensing of degree-granting educational institutions.

On motion of Senator Wynne, the rules are suspended, and the bill is placed on the Calendar for today.

H. B. 1184, a bill repealing Chapter 166 of the North Carolina General Statutes, entitled, "North Carolina Civil Preparedness Act of 1951" and enacting a new Chapter 166A in lieu thereof relating to civil preparedness.

Referred to **Judiciary II Committee.**

H. B. 1195, Committee Substitute for **H. B. 1195**, a bill to amend G. S. 143-132 to permit award of public contracts for construction and repair upon receipt of fewer than three bids when doing so best serves the public interest.

Referred to **Special Committee on Ways and Means.**

H. B. 1207, a bill to further extend the time for registering grants or copies.

Referred to **Special Committee on Ways and Means.**

H. B. 1215, a bill to create a Youth Services Advisory Committee, to abolish the Commission of Youth Services and the Technical Advisory Committee, and to make conforming and technical corrections in the General Statutes.

Referred to **Special Committee on Ways and Means.**

H. B. 1221, a bill to amend G. S. 135-6 to increase the membership of the Board of Trustees of the Teachers' and State Employees' Retirement System of North Carolina as recommended by the Legislative Research Commission's Committee on retirement systems matters.

On motion of Senator Hardison, the rules are suspended, and the bill is placed on the Calendar for tonight.

H. B. 1229, a bill to allow a local health director to confine an animal having rabies or suspected of having rabies if the owner refuses to do so.

Referred to **Special Committee on Ways and Means.**

H. B. 1240, Committee Substitute for **H. B. 1240,** a bill to reenact G. S. 1-12, G. S. 10-13 and G. S. 31-31.1 to validate certain acts performed by notaries public since 1973.

Referred to **Judiciary I Committee.**

H. B. 1241, Committee Substitute for **H. B. 1241,** a bill to delete Dorothea Dix Hospital from the provisions of G. S. 129-42.1.

Referred to **Judiciary II Committee.**

H. B. 1246, a bill to amend Chapter 115, Article 2A of the General Statutes pertaining to the Council on Educational Services for Exceptional Children.

Referred to **Special Committee on Ways and Means.**

H. B. 1255, a bill amending the Milk Commission rules filing.

Referred to **Special Committee on Ways and Means.**

H. B. 1258, a bill to amend Article 3 of Chapter 135 of the General Statutes to provide a contributory medical and hospital benefit care plan for members and former members of the General Assembly, their spouses, and dependents to be administered by the Board of Trustees of the Retirement System.

Referred to **State Government Committee.**

H. B. 1267, a bill to amend Article 3 of Chapter 140 and Part 15 of Article 2 of Chapter 143B of the General Statutes, concerning the North Carolina Art Society.

Referred to **Special Committee on Ways and Means.**

H. B. 1288, a bill to amend Chapter 671 of the 1975 Session Laws to provide for reconsideration of assessments by the City Council of the City of Durham.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 1305, a bill to provide for one representative from each congressional district on the Veteran's Affairs Commission and to make other conforming changes.

Referred to **Special Committee on Ways and Means.**

H. B. 1311, a bill to provide for the organization of the Gaston County Board of Education, the nomination and election of its members, to define in part their powers and authority and to repeal all public, public-local and private laws in conflict with this Act.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 1317, a bill to amend G. S. 160A-497 relating to municipal programs for the elderly.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 1341, a bill to provide for the appointment of members to the Lenoir County Board of Alcoholic Control by the Lenoir County Board of County Commissioners.

Referred to **Alcoholic Beverage Control Committee.**

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H. B. 1342, a bill to provide for the appointment of members to the Jones County Board of Alcoholic Control by the Jones County Board of County Commissioners.

Referred to **Alcoholic Beverage Control Committee.**

H. B. 1369, a bill to amend G. S. 7A-6(c) to provide that special counsel at regional psychiatric facilities shall be included in the group of public officials who receive one copy of the advance sheets of the appellate division without charge.

Referred to **Appropriations Committee.**

H. B. 1371, a bill to amend the North Carolina General Statutes relating to body execution.

Referred to **Judiciary II Committee.**

H. B. 1390, a bill to allow members and employees of a redevelopment commission to acquire property in a redevelopment area for their principal residences.

Referred to **Judiciary I Committee.**

H. B. 1400, a bill to amend Article 5A of Chapter 122 to provide for involuntary commitment of mentally ill persons to the psychiatric service of the North Carolina Memorial Hospital, and to repeal Article 7 of Chapter 122.

Referred to **Judiciary I Committee.**

H. B. 1401, a bill to clarify the identity of the licensing authority of mental health facilities.

Referred to **Judiciary I Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 234, a bill to amend General Statutes Chapter 110, Article 9 (Child Support) to transfer from the clerk of superior court to the county Department of Social Services responsibility for receiving certain payments for child support and to delete the requirement for confidentiality of support agreements.

Senator Davis offers Amendment No. 1 which is adopted.

The bill, as amended, fails to pass its second reading.

S. B. 651, Committee Substitute for **S. B. 651,** a bill to provide for regulation of bicycles.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 655, a bill authorizing the Pitt County Board of Commissioners to hold a referendum of the electorate of Pitt County to determine whether Pitt County Technical Institute should be converted to a community college, for concurrence in the House amendment.

On motion of Senator White, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 679, a bill amending G. S. 159-48(c) to authorize each county to borrow money and issue its bonds under the Local Government Bond Act in evidence thereof to provide the local share of cost to improvements to subdivisions and residential streets pursuant to G. S. 153A-205, upon second reading.

The bill passes its second reading by roll-call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Raynor, Renfrow, Royall, Scott, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Walker, Webster, White, Winters, and Wynne — 43.

The bill remains on the Calendar upon third reading.

S. B. 685, a bill to amend the Housing Authorities Law, Article 1 of Chapter 157 of the General Statutes, with respect to G. S. 157-9, G. S. 157-15, G. S. 157-17, G. S. 157-25 and G. S. 157-26 thereof, upon second reading.

The bill passes its second reading by roll-call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Raynor, Renfrow, Royall, Scott, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Walker, Webster, White, and Wynne — 42.

The bill remains on the Calendar upon third reading.

S. B. 689, a bill to amend the provisions of Chapter 25A relating to preservation of consumers' claims and defenses.

On motion of Senator Smith of Guilford, Committee Amendment No. 1 is adopted.

Senator Daniels offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading.

On objection of Senator Webster to its third reading, the bill, as amended, remains on the Calendar upon third reading.

S. B. 704, Committee Substitute for S. B. 704, a bill to authorize the Department of Administration, Office of Personnel, to establish the personnel classification of paralegal.

On motion of Senator Allsbrook, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Tuesday, June 14.

S. B. 710, Committee Substitute for S. B. 710, a bill to amend G. S. 116-143 to provide free tuition for full-time UNC faculty members.

On motion of Senator Wynne, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Wednesday, June 15.

S. B. 713, a bill to alter the authority of the Board of Governors of the University of North Carolina with respect to the licensing of degree-granting educational institutions.

On motion of Senator Wynne, duly seconded, the bill is postponed indefinitely.

S. B. 715, Committee Substitute for S. B. 715, a bill to amend Article 9, Chapter 65 of the General Statutes relating to cemeteries, upon third reading.

The Committee Substitute bill passes its third reading and is ordered sent to the House of Representatives.

S. J. R. 752, a joint resolution expressing the intent of the General Assembly to allow the Department of Natural and Economic Resources to accept federal funds for the planning and development of a State park on the French Broad River.

The joint resolution passes its second and third readings and is ordered sent to the House of Representatives.

S. J. R. 771, a joint resolution establishing a commission to study the need for and determine what action, if any, is necessary to develop an endangered and threatened species program in North Carolina.

On motion of Senator Jordan, consideration of the joint resolution is postponed until Wednesday, June 15.

S. B. 789, a bill to provide for one representative from each congressional district on the Veterans' Affairs Commission and to make other conforming changes.

On motion of Senator Palmer, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 801, a bill to amend G. S. 135-6 to increase the membership of the Board of Trustees of the Teachers' and State Employees' Retirement System of North Carolina as recommended by the Legislative Research Commissions' Committee on Retirement Systems Matters.

On motion of Senator Hardison, duly seconded, the bill is postponed indefinitely.

S. B. 827, a bill making the breaking into paper currency-operated dispensing machines a felony.

The bill passes its second reading.

On objection of Senator Britt to its third reading the bill remains on the Calendar.

S. B. 841, a bill to amend G. S. 15A-1002(a) so as to require specificity in motions questioning the capacity of a criminal defendant to proceed.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 842, a bill to prescribe the essentials of bills of indictment for rape.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. J. R. 874, a joint resolution honoring the memory of Dennis Wilbert Allen, a Four Oaks police officer who risked and lost his life in the line of duty.

The joint resolution passes its second and third readings and is ordered, without objection, sent to the House of Representatives, by special messenger.

H. B. 100, Committee Substitute for H. B. 100, a bill to amend the Constitution of North Carolina to insure the continuation of the policy of a balanced budget, as amended, upon second reading.

The Committee Substitute bill, as amended, passes its second reading by roll-call vote, ayes 41, noes 1, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Raynor, Renfrow, Royall, Scott, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Walker, Webster, White, and Wynne — 41.

Voting in the negative is: Senator Popkin — 1.

The Committee Substitute bill, as amended, remains on the Calendar upon third reading.

H. B. 308, a bill to amend Articles 14A through 14L of Chapter 54 of the General Statutes, relating to credit unions, upon third reading.

The bill passes its third reading by roll-call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Raynor, Renfrow, Royall, Scott, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Walker, White, Winters, and Wynne — 40.

The bill is ordered enrolled.

H. B. 319, Committee Substitute for H. B. 319, a bill to disqualify from service on the Commission for the Blind those individuals who could profit from the decisions of the Commission.

On motion of Senator Harris, consideration of the Committee Substitute bill is postponed until Tuesday, June 14.

H. B. 370, Committee Substitute No. 2 for H. B. 370, a bill to authorize health services for minors.

Senator Marion offers Amendment No. 1 which is adopted.

Senator Harris calls the previous question, seconded by Senator Rauch. The call is sustained.

The Committee Substitute bill No. 2, as amended, passes its second reading.

On objection of Senator Garrison to its third reading the Committee Substitute bill No. 2, as amended, remains on the Calendar.

H. B. 467, Committee Substitute for **H. B. 467**, a bill to rewrite portions of Chapter 122 of the General Statutes of North Carolina dealing with area mental health programs and to repeal Articles 2A, 2C and 2E of G. S. Chapter 122 which deal with current local mental health and area mental health programs.

Senator Hardison offers Amendment No. 1 which is adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 990, Committee Substitute for **H. B. 990**, a bill to make amendments to the motor vehicle dealers and manufacturers licensing law, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 40, noes 2, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Raynor, Renfrow, Royall, Scott, Sharpe, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Walker, Webster, White, Winters, and Wynne — 40.

Those voting in the negative are: Senators Daniels and Kincaid — 2.

The Committee Substitute bill is ordered enrolled.

H. B. 1072, a bill to amend the retirement laws to provide the death benefit for members finishing the work year in which they turn 65.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1075, a bill to amend G. S. 20-81.2 to further define requirements of special license plates for historic vehicles, upon second reading.

The bill passes its second reading by roll-call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Raynor, Renfrow, Royall, Scott, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Walker, Webster, White, and Wynne — 42.

The bill remains on the Calendar upon third reading.

H. B. 1076, a bill relating to primary forest product assessments, upon second reading.

The bill passes its second reading by roll-call vote, ayes 43, noes 1, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Crawford, Daniels, Davis, Garrison,

Gray, Hardison, Harris, Henley, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 43.

Voting in the negative is: Senator Britt — 1.

The bill remains on the Calendar upon third reading.

H. B. 1077, a bill relating to forest development in North Carolina.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1167, a bill to transfer the historic Seaboard Coastline building to the control of the Department of Cultural Resources to be used as a railroad museum and for other purposes.

On motion of Senator Royall, consideration of the bill is postponed until Wednesday, June 15.

H. B. 1172, a bill to alter the authority of the Board of Governors of the University of North Carolina with respect to the licensing of degree-granting educational institutions.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1221, a bill to amend G. S. 135-6 to increase the membership of the Board of Trustees of the Teachers' and State Employees' Retirement System of North Carolina as recommended by the Legislative Research Commission's Committe on retirement systems matters.

The bill passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 284, an act to amend G. S. 130-143 to require all contracts for work, supplies and materials let by sanitary districts, to comply with the provisions of Article 8, Chapter 143 of the General Statutes.

S. B. 349, an act to amend G. S. 1-223 relating to judgements against a married woman in civil actions by extending it to apply to any married person.

S. B. 351, an act to amend G. S. 7A-104 relating to certain disqualifications of the clerk of court by changing the term "wife" to "spouse."

S. B. 352, an act to amend the law relating to testimony of a married person whose spouse brings an action for criminal conversation.

S. B. 356, an act to amend G. S. 20-187.2 by changing the term "widow" to "surviving spouse."

S. B. 357, an act to amend G. S. 23-18 by changing the term "wife" to "spouse."

S. B. 363, an act to remove sex discriminatory provisions from G. S. Chapter 94 relating to apprenticeship.

S. B. 364, an act to amend certain sections of G. S. Chapter 110 which relate to child labor regulations by removing sex discrimination provisions.

S. B. 365, an act to construe "juvenile" as any person who has not reached his eighteenth birthday in applying for the return of a runaway.

S. B. 366, an act to make 18 the minimum age for service as an officer in the State Defense Militia for females as well as males.

S. B. 368, an act to amend G. S. 147-32 relating to compensation for widows of Governors to make the law applicable to all surviving spouses.

S. B. 480, Committee Substitute for S. B. 480, an act to increase the amount of land the Department of Natural and Economic Resources may acquire in fee simple along the New River.

S. B. 527, an act to amend the effective date of Chapter 123 of the Session Laws of 1975 relating to payments from the State fund for medical assistance.

S. B. 545, an act to empower personal representatives to make elections of certain personal and household effects for federal tax purposes.

S. B. 658, an act to rewrite G. S. 15A-773 to provide for service of criminal process upon unincorporated associations.

S. B. 744, an act to amend G. S. 18A-16 to provide for the selection of members of Scotland County ABC Board by the Board of County Commissioners.

H. B. 205, an act to provide for annual testing in the public schools in order to assess the effectiveness of the educational process.

H. B. 323, Committee Substitute for H. B. 323, an act to reenact G. S. 24-1.1A removing the interest rate ceiling on home loans secured by first mortgages or deeds of trust without a time limit.

H. B. 399, Committee Substitute for H. B. 399, an act to establish the North Carolina Code Officials Qualification Board and to provide for more even enforcement of the State Building Code throughout North Carolina.

H. B. 579, an act to amend G. S. 47-71.1 so as to valdiate corporate deeds made prior to January 1, 1975, on which the corporate seal was omitted.

H. B. 699, Committee Substitute for H. B. 699, an act to continue the North Carolina Environmental Policy Act.

H. B. 770, an act to redefine the corporate limits of the Town of Mesic.

H. B. 1035, Senate Committee Substitute for House Committee Substitute for H. B. 1035, an act to provide for the incorporation and operation of stock-owned savings and loan associations in North Carolina.

H. B. 1097, an act to amend G. S. 160A-288 to allow increased mutual assistance between law enforcement agencies.

H. B. 1115, an act to increase the membership of the Private Protective Services Board.

H. B. 1147, an act authorizing a principal to delegate responsibilities and duties to an assistant principal.

H. B. 1250, Committee Substitute for **H. B. 1250**, an act to provide for the election of county commissioners for Richmond County.

H. B. 1464, an act continuing in existence the Civil Service Commission of the City of High Point until June 30, 1977, notwithstanding the provisions of Chapter 248 of the Session Laws of 1977.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:30 P.M.

ONE HUNDRED TENTH DAY

SENATE CHAMBER,
Tuesday, June 14, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Honorable Roger D. Sharpe, Senator from Burke County as follows:

"O Thou, Who art the giver of every good and perfect gift, in whose unfailing love we live and move and have our being, we pause to thank Thee and pay Thee homage, as the new session opens, and privileges and opportunities again arise to meet us.

"We seek the direction which shall set us forward along right ways; the wisdom which shall cause us rightly to choose in every issue; the integrity which shall keep us wholly loyal to the truth.

"Grant that we may suffer no loss of faith in our fellowman, no lessening of our belief in purity and goodness, and no dimming of our vision of the ideal, until that time when 'justice shall roll on like water, and righteousness as a perennial stream.' Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

A leave of absence granted previously to Senator Hill is noted.

The President grants courtesies of the floor to the Honorable Addison Hewett, former Speaker of the House of Representatives from New Hanover County and to the Honorable Thomas Pearsall, former Speaker of the House of Representatives from Nash County and their wives.

The President grants courtesies of the gallery to the Honorable Vinson Bridgers, Sr., former Senator from Edgecomb County.

Senator White, for the **Agriculture Committee,** submits a report, as follows:

REPORT OF SENATE COMMITTEE ON AGRICULTURE ON APPOINTMENTS TO THE STATE BOARD OF AGRICULTURE

The Senate Committee on Agriculture, which has been charged by the Lieutenant Governor with the duty of inquiring into the qualifications and fitness of persons appointed by the Governor in cases where appointments are subject to consent by the Senate of the General Assembly, reports as follows:

The Senate Committee on Agriculture recommends that in compliance with G. S. 106-2, that the members of the Senate vote to give consent to the following appointments of the Governor to membership on the State Board of Agriculture:

Dr. Ben D. Harrington of Raleigh, North Carolina (Reappointed for a term to expire 5/4/83)

Mr. Linwood Patterson Britton, Jr. of Ahoskie, North Carolina (For a term to expire 5/4/83)

Mr. Sam McLawhorn of Grifton, North Carolina (For a term to expire 5/4/83)

VERNON E. WHITE, *Chairman*
Senate Committee on Agriculture

On motion of Senator White, the report is adopted by roll-call vote, ayes 37, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Gray, Hardison, Harrington, Harris, Henley, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, McDuffie, Rauch, Renfrow, Royall, Scott, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Walker, Webster, White, Winters, and Wynne — 37.

The following appointments to the State Board of Agriculture are confirmed: Dr. Ben D. Harrington, Mr. Linwood Patterson Britton, Jr., and Mr. Sam McLawhorn.

H. B. 1056, Committee Substitute for **H. B. 1056,** a bill to authorize changes in public building construction after initial design and to reduce the obligation of sureties on bid bonds.

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On motion of Senator Hardison, the rules are suspended, and the Committee Substitute bill is taken from the **Special Committee on Ways and Means** and re-referred to the **State Government Committee.**

H. B. 1057, Committee Substitute for **H. B. 1057**, a bill to revise G. S. 143-128 concerning separate specifications for branches of work in the construction of public buildings.

On motion of Senator Hardison, the rules are suspended, and the Commitee Substitute bill is taken from the **Special Committee on Ways and Means** and re-referred to the **State Government Committee.**

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Winters for the **Alcoholic Beverage Control Committee:**

S. B. 319, a bill to authorize the State Board of Alcoholic Control to issue special permits for the sale of intoxicating liquors by certain persons not holding wholesale or retail permits, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Winters, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

S. B. 856, a bill to provide for the appointment of members to the Craven County Board of Alcoholic Control by the Craven County Board of County Commissioners, with a favorable report.

H. B. 342, Committee Substitute for **H. B. 342**, a bill to amend Chapter 18A of the General Statutes concerning the issuance of special occasion permits and the fees for such permits, with a favorable report.

On motion of Senator Winters, the bill is re-referred to the **Finance Committee.**

H. B. 1073, a bill to amend Chapter 18A of the General Statutes to permit the sale of wine cocktails in Grade A restaurants with on-premise wine permits, with a favorable report.

H. B. 1158, Committee Substitute for **H. B. 1158**, a bill to expressly authorize a local ABC board to enter into a contract wtih a local law enforcement agency, with a favorable report, as amended.

H. B. 1244, a bill to correct a statutory reference concerning transportation of alcoholic beverages in for-hire vehicles, with a favorable report.

H. B. 1341, a bill to provide for the appointment of members to the Lenoir County Board of Alcoholic Control by the Lenoir County Board of County Commissioners, with a favorable report.

H. B. 1342, a bill to provide for the appointment of members to the Jones County Board of Alcoholic Control by the Jones County Board of County Commissioners, with a favorable report.

By Senator Marion for the **Courts and Judicial Districts Committee:**

S. B. 242, a bill to amend G. S. 7A-133, in the table, to increase the number of District Court Judges in the 4th District Court from "4" to "5", with a favorable report.

On motion of Senator Marion, the bill is re-referred to the **Appropriations Committee.**

S. B. 304, a bill to increase the District Court Judges in the 23rd Judicial District, with a favorable report.

On motion of Senator Marion, the bill is re-referred to the **Appropriations Committee.**

H. B. 1266, Committee Substitute for **H. B. 1266**, a bill to provide that all sessions of Superior and District Court of Brunswick Court shall be held in the new county seat of Brunswick County, with a favorable report.

By Senator Totherow for the **Insurance Committee:**

S. B. 150, a bill to repeal Articles 13, 13A, 13B and 25 of the General Statutes Chapter 58 relating to the Fire Insurance Rating Bureau, fire and casualty insurance rate regulations, and regulation of automobile liability insurance rates; to provide a new and competitive method of rate regulation of fire, casualty, and automobile liability insurance; and to prevent monopoly and collusion in rate making, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Totherow, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

H. B. 276, Committee Substitute for **H. B. 276**, a bill to provide for the regulation of health maintenance organizations in North Carolina, with a favorable report.

H. B. 680, a bill to amend the General Statutes to provide for freedom of choice by patients relating to psychological services, with a favorable report, as amended.

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 467, a bill amending Chapter 55B, the Professional Corporation Act, so as to allow limited ownership interest in such corporation by nonprofessionals of engineering, architecture and landscape architecture firms, with a favorable report, as amended.

S. B. 820, a bill to authorize the levy of punitive damages against any person, firm or corporation that willfully or negligently burns another's timber, with a favorable report, as amended.

S. B. 823, a bill to provide for the mechanical recording of court proceedings in the superior and district courts and to appropriate funds for such recording, with a favorable report.

On motion of Senator Allsbrook, the bill is re-referred to the **Appropriations Committee.**

H. B. 302, Committee Substitute for H. B. 302, a bill to provide that the advertising of the price of ophthalmic materials be permitted in North Carolina, with a favorable report.

By Senator Britt for the **Judiciary II Committee:**

S. B. 90, House Committee Substitute for S. B. 90, a bill to establish standards for land parcel identifier numbers and to authorize the creation and maintenance of land records indexes by parcel identifier numbers, with a favorable report.

S. B. 824, a bill to provide that restitution and reparation be incorporated as an integral part of the criminal justice system, with a favorable report.

H. B. 1032, a bill relating to penalty for welfare fraud, with a favorable report.

By Senator Royall for the **Special Committee on Ways and Means:**

S. B. 756, a bill to rewrite G. S. 20-81 concerning the issuance of official license plates to State officials and to correct uncertainties resulting from the enactment of Chapter 865 and Chapter 432 of the 1975 Session Laws, with a favorable report.

S. B. 808, a bill to add the president of the student government or the chairman of the executive board of the student body of each community college, technical institute, and industrial education center established pursuant to G. S. 115-A to the board of trustees of said institutions as *ex officio* voting members, with a favorable report, as amended.

S. J. R. 826, a joint resolution directing the Legislative Research Commission to study a proposed school health education project: The "Heed" project, with a favorable report.

S. J. R. 848, a joint resolution directing the Legislative Research Commission to complete the recodification of North Carolina's Public School Laws, with a favorable report.

H. B. 148, a bill to abolish the House Movers Licensing Board, with a favorable report.

By Senator Harrington for the **Transportation Committee:**

H. B. 1164, a bill to authorize the Department of Transportation to participate in federal programs of railroad revitalization and to administer federal programs relating to railroad revitalization, with a favorable report.

By Senator Scott for the **University Board of Governors Committee:**

S. B. 603, a bill to amend G. S. 116-7(c) with reference to the filling of vacancies on the Board of Governors, with a favorable report.

S. B. 604, a bill to amend G. S. 116-7 with reference to the age limit for members of the Board of Governors, with a favorable report, as amended.

By Senator Combs for the **Wildlife Committee:**

S. B. 241, a bill to regulate the setting of steel traps in Pender County, with a favorable report, as amended.

S. B. 256, a bill to restrict the hunting of coons in Avery, Burke, and Caldwell Counties, with an unfavorable report.

S. B. 275, a bill to make it unlawful to hunt with firearms from the public roads in Pitt County, without prejudice.

On motion of Senator Combs, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 405, a bill to restrict the trapping of animals in Nash County, with a favorable report.

S. B. 447, a bill to require numbering of sailboats with hulls longer than fourteen feet, without prejudice.

On motion of Senator Combs, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

H. B. 124, Committee Substitute for H. B. 124, a bill to prohibit setting or using trap of leg-gripping or connibear type in Alleghany, Avery, Cleveland, Forsyth, Mitchell, Moore, Nash, Stokes, and Yadkin Counties, with a favorable report, as amended.

H. B. 542, Committee Substitute for H. B. 542, a bill to regulate the setting of steel traps in Bladen, Columbus, and Sampson Counties, with a favorable report.

H. B. 671, a bill to regulate the setting of steel traps and connibear traps in certain counties, with a favorable report.

H. B. 774, a bill to regulate hunting in Burke and Caldwell Counties, with a favorable report, as amended.

H. B. 852, a bill to amend the law regulating the manner of taking deer to make it applicable to Dare County, without prejudice.

On motion of Senator Combs, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

H. B. 1242, a bill to authorize the hunting of bear in Holly Shelter Wildlife Refuge and baiting of game in Pender County, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Smith of Guilford:

S. B. 872, a bill to amend Chapter 13 of the General Statutes relating to restoration of rights of federal prisoners.

Referred to **Judiciary II Committee.**

By Senator Hardison:

S. B. 873, a bill to amend G. S. 143-215.1(c)(1) so as to modify environmental permit precedures.

Referred to **Judiciary II Committee.**

By Senator Rauch:

S. B. 875, a bill to increase the motor vehicle registration fee for support of driver education programs from two dollars to three dollars.

Referred to **Finance Committee.**

The rules are suspended to allow the referral of the following bill filed today to committee:

By Senators Palmer and Swain:

S. B. 878, a bill to make the Tri-County Technical Institute a comprehensive community college.

Referred to **Appropriations Committee.**

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S. B. 657, Committee Substitute for S. B. 657

HOUSE OF REPRESENTATIVES
June 14, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body requesting the return of S. B. 657, Committee Substitute for S. B. 657, a bill to authorize the qualified voters of the Town of Highlands, Macon County, to determine whether alcoholic beverage control stores shall be operated in the Town of Highlands, for further consideration by the House of Representatives.

Respectfully,
GRACE A. COLLINS
Principal Clerk

On motion of Senator Winters, the bill is ordered returned to the House of Representatives for further consideration.

June 14, 1977

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 129, a bill to make Indochina refugees eligible for in-state tuition status, for concurrence in the House amendment which is placed on the Calendar for Wednesday, June 15.

H. B. 212, Committee Substitute for H. B. 212, a bill to permit stolen property to be restored to rightful owners in advance of trial.
Referred to **Judiciary II Committee.**

H. B. 873, Committee Substitute for H. B. 873, a bill to make theater employees subject to the North Carolina Minimum Wage Act and to temporarily set a $2.00 minimum for seasonal recreational employees.
Referred to **Manufacturing, Labor and Commerce Committee.**

H. B. 1099, a bill to require that insurance agents of fraternal societies be subject to insurance examinations prior to licensing.
Referred to **Insurance Committee.**

H. B. 1104, Committee Substitute for H. B. 1104, a bill to make technical revisions in Chapter 105 of the General Statutes.
Referred to **Finance Committee.**

H. B. 1166, a blil to amend Article 1A of Chapter 90 and Article 8 of Chapter 110 to provide for emergency medical treatment of minors over parental objection.
Referred to **Judiciary II Committee.**

H. B. 1356, a bill to amend the provisions for final disposition or transportation of deceased migrant farm workers.
Referred to **Judiciary II Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

(Senator Henley presides over a portion of today's Session.)

S. B. 109, a bill to amend Chapter 135 of the General Statutes to provide for the inclusion of employees of the North Carolina Art Society in the Teachers' and State Employees' Retirement System, for concurrence in the House amendment.
On motion of Senator Davis, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 150, Committee Substitute for S. B. 150, a bill to repeal Articles 13, 13A, 13B and 25 of General Statutes Chapter 58 relating to the Fire Insurance Rating Bureau, fire and casualty rate regulations, and regulation of

automobile liability insurance rates; to provide a new method of rate regulation; and to amend Chapters 58 and 97 to consolidate the functions of the Fire Insurance Rating Bureau, the Compensation Rating and Inspection Bureau, and the Automobile Rate Administration Office; and to assure the proper operation of the North Caroline Reinsurance Facility on a sustaining but nonprofit basis.

On motion of Senator Totherow, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Thursday, June 16.

S. B. 154, Committee Substitute for S. B. 154, a bill to rewrite the law regarding wrongful death in order to resolve inconsistency and to provide for a logical distribution of a recovery, as amended.

Senator Soles offers Amendment No. 2 which is adopted.

The Committee Substitute bill, as amended, fails to pass its second reading.

S. B. 319, Committee Substitute for S. B. 319, a bill to authorize the State Board of Alcoholic Control to issue special permits for the sale of intoxicating liquors by certain persons not holding wholesale or retail permits.

On motion of Senator Winters, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Thursday, June 16.

S. B. 350, a bill to amend G. S. 6-21 relating to cost in civil actions, for concurrence in the House amendment.

On motion of Senator Britt, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 354, a bill to rewrite G. S. 14-46 relating to concealing the birth of a child, for concurrence in the House amendment.

On motion of Senator Britt, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 485, Committee Substitute for S. B. 485, a bill to increase representation on the OSHA Advisory Council.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 544, a bill to amend Article 7A of Chapter 54 of the General Statutes, relating to mutual deposit guaranty associations, for concurrence in the House amendment.

On motion of Senator Lawing, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 663, a bill to provide for the taking into custody of dangerous fugitives from justice who present a threat of imminent death or serious bodily injury and flee from justice and evade arrest.

Senator Barnes offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading.

Senator Somers offers Amendment No. 2 which is adopted.

The bill passes its third reading and is ordered engrossed and sent to the House of Representatives.

Senator Renfrow requests to be recorded voting "aye."

June 14, 1977

S. B. 679, a bill amending G. S. 159-48(c) to authorize each county to borrow money and issue its bonds under the Local Government Bond Act in evidence thereof to provide the local share of cost to improvements to subdivisions and residential streets pursuant to G. S. 153A-205, upon third reading.

The bill passes its third reading by roll-call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 46.

The bill is ordered sent to the House of Representatives.

S. B. 685, a bill to amend the Housing Authorities Law, Article 1 of Chapter 157 of the General Statutes, with respect to G. S. 157-9, G. S. 157-15, G. S. 157-17, G. S. 157-25 and G. S. 157-26 thereof, upon third reading.

The bill passes its third reading by roll-call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Crawford, Daniels, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Kincaid, Lake Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 46.

The bill is ordered sent to the House of Representatives.

S. B. 689, a bill to amend the provisions of Chapter 25A relating to preservation of consumers' claims and defenses, as amended, upon third reading.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the House of Representatives.

S. B. 704, Committee Substitute for S. B. 704, a bill to authorize the Department of Administration, Office of Personnel to establish the personnel classification of paralegal.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 710, Committee Substitute for S. B. 710, a bill to amend G. S. 116-143 to provide free tuition for full-time UNC faculty members.

On motion of Senator Wynne, consideration of the Committee Substitute bill is postponed until Wednesday, June 15.

S. B. 735, Committee Substitute for S. B. 735, a bill to allow cities and counties with ABC stores to vote on the sale of mixed beverages in social establishments and restaurants seating at least 36.

Senator Smith of New Hanover calls the previous question, duly seconded. The call is sustained.

The Committee Substitute bill passes its second reading.

Senator Combs moves that the Committee Substitute bill be placed on the Calendar for Thursday, June 16.

Senator Smith of New Hanover offers a substitute motion that the Committee Substitute bill be placed on the Calendar for Wednesday, June 15, which motion prevails.

S. B. 760, Committee Substitute for **S. B. 760**, a bill to amend Chapters 7A and 48 of the General Statutes relating to adoptions and termination of parental rights.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 827, a bill making the breaking into paper currency-operated dispensing machines a felony, upon third reading.

Senator Soles offers Amendment No. 1 which is adopted.

Senator Webster offers Amendment No. 2 which is adopted.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the House of Representatives.

H. B. 53, Senate Committee Substitute for **H. B. 53**, a bill to transfer the North Carolina Drug Commission to the Department of Human Resources.

The Senate Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives for consideration of the Senate Committee Substitute bill.

H. B. 100, Committee Substitute for **H. B. 100**, a bill to amend the Constitution of North Carolina to insure the continuation of the policy of a balanced budget, as amended, upon third reading.

On motion of Senator Royall, the Committee Substitute bill, as amended, is recommitted to the **Constitutional Amendments Committee.**

H. B. 319, Committee Substitute for **H. B. 319**, a bill to disqualify from service on the Commission for the Blind those individuals who could profit from the decisions of the Commission.

Senator Harris offers Amendment No. 1 which is adopted.

Senator Hardison offers Amendment No. 2 which is adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendments.

H. B. 370, Committee Substitute No. 2 for **H. B. 370**, a bill to authorize health services for minors, as amended, upon third reading.

Senator McDuffie offers Amendment No. 2 which is adopted.

Senator Marvin calls the previous question, duly seconded. The call is sustained.

The Committee Substitute bill No. 2, as amended, passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate amendments.

H. B. 514, Senate Committee Substitute for **H. B. 514**, a bill to amend the child abuse and neglect laws to provide for mandatory notification of reporter after investigation, professional reporting responsibility for staff of day care centers, court review of decisions to return children to parents, and for a statewide protective services plan developed by the Department of Human Resources.

The Senate Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives for consideration of the Committee Substitute bill.

H. B. 739, Senate Committee Substitute for **H. B. 739**, a bill to amend G. S. 97-83 of the Workmen's Compensation Act concerning Industrial Commission hearings.

The Senate Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives for consideration of the Senate Committee Substitute bill.

H. B. 930, a bill to include X-rays within the types of business and public records which may be destroyed after copies of the records have been recorded on microfilm or by another process which accurately reproduces or forms a durable medium for reproducing the original.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1005, Committee Substitute for **H. B. 1005**, a bill to amend Chapter 74B of the General Statutes, the Private Protective Services Act.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 1054, a bill to amend Article 4, Chapter 114 of the General Statutes to provide for protection of public officials in certain instances by the North Carolina State Bureau of Investigation.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1075, a bill to amend G. S. 20-81.2 to further define requirements of special license plates for historic vehicles, upon third reading.

The bill passes its third reading by roll-call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Garrison, Gray, Hardison, Harris, Henley, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Scott, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 44.

The bill is ordered enrolled.

H. B. 1076, a bill relating to primary forest product assessments, upon third reading.

The bill passes its third reading by roll-call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Garrison, Gray, Hardison, Henley, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Scott, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 44.

H. B. 1159, a bill to authorize the Commissioner of Labor to waive the provisions of the Child Labor Regulations Laws when in his opinion the safety or health of the minor would not be adversely affected.

Senator Whichard offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 20, Committee Substitute for **S. B. 20**, an act to allow the keeping of a certain black bear in Carteret County by exempting the person who kept this black bear prior to July 1, 1975, from Article 2 of G. S. Chapter 19A.

S. B. 346, an act to increase the fee for replacing lost certificates of motorboat number.

S. B. 655, an act authorizing the Pitt County Board of Commissioners to hold a referendum of the electorate of Pitt County to determine whether Pitt County Technical Institute should be converted to a community college.

S. J. R. 874, a joint resolution honoring the memory of Dennis Wilbert Allen, a Four Oaks police officer who risked and lost his life in the line of duty.

H. B. 308, an act to amend Articles 14A through 14L of Chapter 54 of the General Statutes, relating to credit unions.

H. B. 990, Committee Substitute for **H. B. 990**, an act to make amendments to the motor vehicle dealers and manufacturers licensing law.

H. B. 1072, an act to amend the retirement laws to provide the death benefit for members finishing the work year in which they turn 65.

H. B. 1077, an act relating to forest development in North Carolina.

H. B. 1172, an act to alter the authority of the Board of Governors of the University of North Carolina with respect to the licensing of degree-granting educational institutions.

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H. J. R. 1186, a joint resolution urging the North Carolina Utilities Commission to investigate, study, and consider lifeline rates for essential use of electricity and natural gas by residential users.

H. B. 1221, an act to amend G. S. 135-6 to increase the membership of the Board of Trustees of the Teachers' and State Employees' Retirement System of North Carolina as recommended by the Legislative Research Commission's Committee on retirement system matters.

On motion of Senator Hardison, the Senate adjourns to meet tomorrow at 1:00 P.M.

ONE HUNDRED ELEVENTH DAY

SENATE CHAMBER,
Wednesday, June 15, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, in our moments of confusion and uncertainty, help us to remember the words of the Psalmist when he said: 'Commit thy ways unto the Lord and He shall direct thy paths.' How grateful we are that we have access to a source of wisdom above and beyond our own, and may that wisdom determine our decisions in all things. For Thy name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

A leave of absence previously granted to Senator Hill is noted.

Senator Allsbrook rises on a point of personal privilege and upon his motion, duly seconded, his remarks are spread upon the Journal as follows:

S. B. 12
S. B. 84
S. B. 792

Remarks by the Chairman of Senate Judiciary I Committee
on the Question of Punishment for Rape

"I, as Chairman of the Judiciary I Committee, wish to apprise the Senate of the Committee's deliberations on the question of rewriting the law of the State regarding rape. As you are aware, the United States Supreme Court in July of 1976 in *Woodson v. North Carolina* declared to be unconstitutional

this State's law relating to first-degree murder. Pursuant to *Woodson* decision, the North Carolina Supreme Court in *State v. Thompson*, 290 N.C. 431 (1976), held that by implication the death penalty provisions for first degree rape were invalid, and substituted a sentence of life imprisonment instead of death for this crime. This substitution of sentence was done under the authority of Section 7 of Chapter 1201 of the 1973 Session Laws.

This Session of the General Assembly by the passage of Chapter 406 of this year's Session Laws re-instituted the death penalty for first-degree murder effective for crimes committed on or after June 1 of this year. That new law also created a two-stage trial procedure in capital cases which we hope will withstand constitutional attack.

There are now three bills in Senate Committees which would rewrite the law regarding rape:

Senate Bill 84, introduced by Senator Mathis, would rewrite all of the law regarding sexual assault. This bill is before the Senate Judiciary II Committee.

Senate Bill 12, introduced by Senator Harris, is a companion bill to House Bill 5 and contains provisions for the imposition of death for first degree rape. This bill is in the Senate Judiciary I Committee.

Senate Bill 792, introduced by Senator Swain, would permit the imposition of death for rape in a very limited number of situations. This bill's provisions would dovetail into the carefully constructed death penalty procedure of the recently-enacted murder law.

In the very near future the United States Supreme Court is expected to hand down a decision in which it will set forth its opinion on the basic question of whether or not a sentence of death can be constitutionally imposed for the crime of rape.

Given the present situation in which

1. the question of imposing death for the crime of rape is a highly emotional one which divides the people in the State and their representatives in the General Assembly; and

2. presently individuals convicted of first degree rape are sentenced under the *Thompson* decision to life imprisonment; and

3. this year's Session of the General Assembly is waning quickly; and

4. that this issue of punishment for rape demands the most careful, unhurried and complete analysis.

Therefore the Senate Judiciary I Committee will not report any bill amending the present law regarding rape this Session. Instead, its chairman and members, in the interim before the 1978 General Assembly convenes, will carefully study the questions surrounding this issue and analyze them in the light of the opinions entered in the pending cases before the United States

Supreme Court. The Committee is convinced that this study and analysis will result in a better piece of legislation being presented to the 1978 General Asembly. I move that these remarks be spread upon the pages of the Senate Journal."

S. B. 789, a bill to provide for one representative from each congressional district on the Veterans' Affairs Commission and to make other conforming changes, as amended.

On motion of Senator Royall, the bill as amended, is recalled from the Engrossing Office and placed on the Calendar for tomorrow, June 16, for further reconsideration.

H. B. 53, Senate Committee Substitute for **H. B. 53**, a bill to transfer the North Carolina Drug Commission to the Department of Human Resources.

Senator Henley moves that the vote by which the Senate Committee Substitute bill for **H. B. 53** passed its third reading on June 14 be reconsidered, which motion prevails.

The Senate Committee Substitute bill for **H. B. 53** is placed on the Calendar for today upon third reading.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator McDuffie for the **Election Laws Committee:**

S. B. 790, a bill to require county boards of elections to meet and pass upon all applications for registration, with a favorable report.

H. B. 551, a bill to amend Article 22A of Chapter 163 of the General Statutes to require office holders to report certain funds as campaign contributions and expenditures, with a favorable report.

H. B. 666, a bill to require disclosure detail regarding proceeds from loans used by candidates for political office and political committees, with a favorable report.

H. B. 1168, a bill to amend Chapter 163 of the General Statutes to change the title of executive secretary of county boards of elections to supervisor of elections, with a favorable report.

By Senator Rauch for the **Finance Committee:**

S. B. 96, a bill to increase the inheritance tax exemption applicable to surviving spouses to twenty thousand dollars, with a favorable report.

On motion of Senator Rauch, the bill is re-referred to the **Ways and Means Committee.**

S. B. 653, a bill to amend the law pertaining to registration of divorces and annulments to provide for certificates of divorce and annulment on

forms prescribed and furnished by the State Registrar, wtih an unfavorable report.

H. B. 260, Committee Substitute for **H. B. 260,** a bill to increase the inheritance tax exemption for surviving spouses and to increase the amount of insurance proceeds exempt from inheritance tax, with a favorable report.

On motion of Senator Rauch, the Committee Substitute bill is re-referred to the **Ways and Means Committee.**

H. B. 826, a bill to amend the biennial licensure fee of the Board of Examiners for Nursing Home Administrators and to authorize examination and training program fees, with a favorable report, as amended.

H. B. 1079, a bill to increase the annual license renewal fee for podiatrists from a fee not to exceed fifty dollars to a fee not to exceed one hundred fifty dollars, with a favorable report.

H. B. 1148, a bill to amend G. S. 113-95, relating to hunting and fishing license fees, so as to provide for a reduced fee for totally disabled residents of this State, with a favorable report, as amended.

H. B. 1257, Committee Substitute for **H. B. 1257,** a bill to amend G. S. 105-360(a)(1) to provide for a grace period for payment of county and municipal taxes, with a favorable report.

By Senator Allsbrook for the **Judiciary I Committee:**

H. B. 1265, a bill to amend the Community Development Law to authorize cities and counties to acquire property for the purpose of redevelopment, with a favorable report, as amended.

By Senator Britt for the **Judiciary II Committee:**

S. B. 84, a bill to clarify, consolidate and modernize the Law of Sexual Assaults, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Britt, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

S. B. 728, a bill to amend the Solicitation of Charitable Funds Act, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Britt, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

S. B. 746, a bill to provide limitations on actions for damages for personal injury, death or damage to property resulting from the use of products, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Britt, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

S. B. 839, a bill requiring heads of State departments to report possible violations of the criminal statutes involving misuse of State property to the State Bureau of Investigation, with a favorable report.

S. B. 850, a bill to amend Chapter 44A of the General Statutes to require a notice of lis pendens be filed in each county in which the lien is filed, except the county in which the action enforcing the lien is commenced, within 180 days after the last furnishing of labor or materials at the site of the improvement by the person claiming the lien in order to be entitled to the priorities under the provisions of G. S. 44A-14(a), with a favorable report.

H. B. 212, Committee Substitute for H. B. 212, a bill to permit stolen property to be restored to rightful owners in advance of trial, with a favorable report.

H. B. 1166, a bill to amend Article 1A of Chapter 90 and Article 8 of Chapter 110 to provide for emergency medical treatment of minors over parental objection, with a favorable report.

H. B. 1371, a bill to amend the North Carolina General Statutes relating to body execution, with a favorable report.

By Senator Raynor for the **Law Enforcement and Crime Control Committee:**

H. B. 621, Committee Substitute for H. B. 621, a bill to amend G. S. 14-269 to authorize law enforcement agencies to regulate possession of concealed weapons by law enforcement officers, with a favorable report.

By Senator Soles for the **Local Government and Regional Affairs Committee:**

S. B. 209, a bill to establish the North Carolina Code Officials Qualification Board and to provide for more even enforcement of the State Building Code throughout North Carolina, without prejudice.

On motion of Senator Soles, the rules are suspended, and the bill is placed before the Senate for immediate consideration and on his further motion is postponed indefinitely.

S. B. 829, a bill to permit counties to restructure their governing boards in the same manner as may cities, with a favorable report.

S. B. 855, a bill to revise and consolidate the Charter of the Town of Princeville and to repeal prior local acts, with a favorable report.

S. B. 861, a bill to create Wendell-Knightdale Airport Authority, with a favorable report.

H. B. 817, Committee Substitute for H. B. 817, a bill to abolish the Gastonia Industrial Diversification Tax and Commission, with a favorable report.

H. B. 889, Committee Substitute for H. B. 889, a bill relating to the method of election and composition of Orange County Board of Education, with a favorable report.

H. B. 1278, a bill to correct an error in the Avery County Registry, with a favorable report.

H. B. 1288, a bill to amend Chapter 671 of the 1975 Session Laws to provide for reconsideration of assessments by the City Council of the City of Durham, with a favorable report.

H. B. 1311, a bill to provide for the organization of the Gaston County Board of Education, the nomination and election of its members, to define in part their powers and authority and to repeal all public, public-local and private laws in conflict with this Act, with a favorable report.

H. B. 1317, a bill to amend G. S. 160A-497 relating to municipal programs for the elderly, with a favorable report.

H. B. 1353, a bill to amend Chapter 308, Session Laws of 1977 to correct errors relating to the election of members of the Goldsboro City Board of Education, with a favorable report.

By Senator Speed for the **Natural and Economic Resources Committee:**

S. B. 589, a bill to amend Article 13, Chapter 130, North Carolina General Statutes, relating to water and sewer sanitation, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Speed, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

S. B. 800, a bill to amend G. S. 143-215.108(b) so as to modify environmental permit procedures, with a favorable report, as amended.

S. B. 802, a bill to amend G. S. 143-215.3(a)(1) to require an economic impact statement on environmental regulations, with a favorable report.

S. B. 804, a bill to amend G. S. 143-215.4(d)(6) and G. S. 143-215.15(f)(7) to change the burden of proof for permit denials and penalty assessments, with a favorable report.

By Senator Webster for the **Public Utilities and Energy Committee:**

S. B. 869, a bill to amend Chapter 159B of the General Statutes to implement the provisions of Article V, Section 10 of the North Carolina Constitution, with a favorable report.

By Senator Henley for the **Rules and Operation of the Senate Committee:**

S. J. R. 857, a joint resolution congratulating American Drew, Inc., of North Wilkesboro, a Sperry and Hutchinson Company, on its 50th Anniversary, with a favorable report.

S. J. R. 858, a joint resolution requesting Congress to propose an amendment to the Federal Constitution to require that the total of all federal appropriations not exceed the total of all estimated federal revenues in any fiscal year, with certain exceptions, with a favorable report.

S. J. R. 860, a joint resolution creating a committee for the study of the laws relating to the conservation of wildlife resources in order to make

recommendations to the General Assembly for revision and consolidation, with a favorable report, as amended.

On motion of Senator Henley, the rules are suspended, and the joint resolution is placed before the Senate for immediate consideration, and on his further motion Committee Amendment No. 1 is adopted.

On motion of Senator Henley, the joint resolution, as amended, is re-referred to the Appropriations Committee.

By Senator Royall for the **Special Committee on Ways and Means:**

S. B. 847, a bill to provide that the acceptance of Medicaid constitutes an assignment to the State of right to third party insurance benefits and to prescribe procedure for recovery of said benefits, with a favorable report.

S. B. 865, a bill to authorize a loan to the Battleship Commission in order to acquire the Blockade Runner Museum, with a favorable report.

On motion of Senator Royall, the bill is re-referred to the **Appropriations Committee.**

H. B. 426, Committee Substitute for **H. B. 426,** a bill to provide that restitution and reparation be incorporated as an integral part of the criminal justice system, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

H. B. 1051, a bill to permit the collection in alcoholic beverage control stores donations to the Alcoholism Research Fund, with a favorable report.

H. B. 1144, a bill to clarify the authority of the Secretary of Correction to place an inmate on work release, with a favorable report.

H. B. 1145, a bill to amend G. S. 148-60.3 to correct a technical error and to delete the seven days' notice requirement thereof, with a favorable report.

H. B. 1215, a bill to create a Youth Services Advisory Committee, to abolish the Commission of Youth Services and the Technical Advisory Committee, and to make conforming and technical corrections in the General Statutes, with a favorable report.

H. B. 1229, a bill to allow a local health director to confine an animal having rabies or suspected of having rabies if the owner refuses to do so, with a favorable report.

H. B. 1255, a bill amending the Milk Commission rules filing, with a favorable report.

H. B. 1305, a bill to provide for one representative from each congressional district on the Veterans's Affairs Commission and to make conforming changes, with a favorable report, as amended.

By Senator Whichard for the **State Government Committee:**

S. B. 524, a bill to establish a State Fire Commission, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Whichard, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

S. B. 705, a bill to revise G. S. 143-128 concerning separate specifications for branches of work in the construction of public buildings, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Whichard, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

S. B. 706, a bill to authorize changes in public building construction after initial design and to reduce the obligation of sureties on bid bonds, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Whichard, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

S. B. 709, a bill to amend G. S. 66-58 relating to the sale of merchandise by State governmental units, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Whichard, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

H. B. 1046, Committee Substitute for **H. B. 1046**, a bill to authorize withdrawal of erroneous bids on public construction contracts, with a favorable report.

H. B. 1056, Committee Substitute for **H. B. 1056**, a bill to authorize changes in public building construction after initial design and to reduce the obligation of sureties on bid bonds, with a favorable report.

H. B. 1057, Committee Substitute for **H. B. 1057**, a bill to revise G. S. 143-128 concerning separate specifications for branches of work in the construction of public buildings, with a favorable report.

H. B. 1258, a bill to amend Article 3 of Chapter 135 of the General Statutes to provide a contributory medical and hospital benefit care plan for members and former members of the General Assembly, their spouses, and dependents to be administered by the Board of Trustees of the Retirement System, with a favorable report.

By Senator Palmer for the **Veterans and Military Affairs Committee:**

S. B. 836, a bill to amend Chapter 127A of the General Statutes to provide for the awarding of civilian service medals and awards for services rendered to the North Carolina National Guard, with a favorable report.

H. B. 1096, Committee Substitute for **H. B. 1096**, a bill to redefine the duties of the Veterans Affairs Commission, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senators Wynne, Winters, and Lake:

S. B. 876, a bill to rewrite the entry requirements for opticians.
Referred to **Judiciary II Committee.**

By Senators Wynne, Winters, and Lake:

S. B. 877, a bill to amend Chapter 6, Private Laws of North Carolina 1840-1841, As Amended, pertaining to the construction, operation and financing of hospital facilities by trustees of the Rex Hospital, Raleigh, North Carolina.
Referred to **Judiciary II Committee.**

By Senator Henley:

S. J. R. 879, a joint resolution establishing a Special Interim Joint Committee to study the Rules of the General Assembly.
Referred to **Rules and Operation of the Senate Committee.**

By Senator Webster:

S. B. 880, a bill to amend the Constitution of North Carolina to allow the Supreme Court to review on direct appeal decisions of administrative agencies as the General Assembly may prescribe, and to amend certain statutes to provide that appeals from the Utilities Commission will be directly to the Supreme Court.
Referred to **Constitutional Amendments Committee.**

By Senators Smith of Guilford, Sebo, and Gray:

S. B. 881, a bill to appropriate funds to the Nat Green Youth Development School.
Referred to **Appropriations Committee.**

By Senator Hardison:

S. B. 882, a bill to make the Lieutenant Governor the Chairman of the Joint Legislative Commission on Governmental Operations.
Referred to **Special Committee on Ways and Means.**

By Senator Hardison:

S. B. 883, a bill to assign an agent of the State Bureau of Investigation to the Lieutenant Governor to assist in his official duties.
Referred to **Special Committee on Ways and Means.**

By Senator Hardison:

S. B. 884, a bill to appropriate funds for the Police Information Network.
Referred to **Appropriations Committee.**

By Senators Hardison and Royall:

S. B. 885, a bill to appropriate funds for the Fingerprint Identification Bureau of the State Bureau of Investigation.
Referred to **Appropriations Committee.**

By Senators Allsbrook and Harrington:

S. B. 886, a bill to appropriate funds to the North Carolina Department of Labor to continue funding for OSHA consultant positions expiring on June 30, 1977.

Referred to **Appropriations Committee.**

By Senators Allsbrook and Harrington:

S. B. 887, a bill to appropriate funds to the Department of Labor for the purchase of special technical equipment mandated to continue State administration of the Occupational Safety and Health Act.

Referred to **Appropriations Committee.**

By Senators Royall, Rauch, Popkin, Jordan, Henley, and Garrison:

S. B. 888, a bill to amend Chapter 115A of the General Statutes so as to establish specific terms of employment for presidents of institutions in the North Carolina Community College System.

Referred to **Special Committee on Ways and Means.**

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. B. 445, Commitee Substitute for H. B. 445, a bill to provide for the fixing of utility rates in North Carolina based upon the reasonable original cost of the property of the public utility used and useful in providing service to the public.

Referred to **Public Utilities and Energy Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 110, House Committee Substitute for Senate Committee Substitute No. 1 for S. B. 110, a bill to prohibit setting or using trap of leg-gripping, steeljawed or connibear type for the capturing of animals or birds in North Carolina.

Referred to **Wildlife Committee.**

H. B. 644, Committee Substitute for H. B. 644, a bill to amend Article 18A of Chapter 90 of the General Statutes controlling licensing psychologists.

Referred to **Human Resources Committee.**

H. B. 971, a bill to increase nonresident big game hunting license fee.

Referred to **Finance Committee.**

H. B. 974, Committee Substitute for **H. B. 974**, a bill to amend Section 135-4 of the General Statutes relating to creditable service in the retirement system.

Referred to **State Government Committee.**

H. B. 1048, Committee Substitute for **H. B. 1048**, a bill to waive apprenticeship for cosmetology applicants with 1500 hours of cosmetology education.

Referred to **Judiciary II Committee.**

H. B. 1071, a bill to amend G. S. 116-143 to provide free tuition for full-time UNC faculty members.

On motion of Senator Wynne, the rules are suspended, and the bill is placed on the Calendar for today.

H. B. 1128, Committee Substitute for **H. B. 1128**, a bill to provide medium custody prisoners for work on State roads and highways.

Referred to **Law Enforcement and Crime Control Committee.**

H. B. 1197, a bill to increase the nonresident hunting license fee and nonresident six-day hunting license fee.

Referred to **Finance Committee.**

H. B. 1214, a bill to provide for the issuance of special registration plates for members of fire departments and rescue squads.

Referred to **Finance Committee.**

H. B. 1273, Committee Substitute for **H. B. 1273**, a bill to require notice to be mailed to savings and loan shareholders of the annual meeting of the association.

Referred to **Banking Committee.**

H. B. 1370, a bill to provide for the conservation of beaver.

Referred to **Wildlife Committee.**

H. B. 1410, a bill to make a technical amendment to G. S. 25A-36.

Referred to **Banking Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 84, Committee Substitute bill for **S. B. 84**, a bill to amend the rules of evidence in rape cases.

On motion of Senator Britt, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Thursday, June 16.

S. B. 90, House Committee Substitute for **S. B. 90**, a bill to establish standards for land parcel identifier numbers and to authorize the creation and maintenance of land records indexes by parcel identifier numbers.

The House Committee Substitute passes its second and third readings and is ordered enrolled.

S. B. 129, a bill to make Indochina refugees eligible for in-state tuition status, for concurrence in the House amendment.

On motion of Senator Totherow, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 241, a bill to regulate the setting of steel traps in Pender County.

On motion of Senator Smith of New Hanover, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 405, a bill to restrict the trapping of animals in Nash County.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 467, a bill amending Chapter 55B, the Professional Corporation Act, so as to allow limited ownership interest in such corporation by nonprofessionals of engineering, architecture and landscape architecture firms.

On motion of Senator Britt, the Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 524, Committee Substitute for S. B. 524, a bill to establish a State Fire Commission.

On motion of Senator Whichard, the Committee Substitute bill is adopted, and on his further motion is re-referred to the **Appropriations Committee.**

S. B. 589, Committee Substitute for S. B. 589, a bill to amend Article 13, Chapter 130, North Carolina General Statutes, relating to water and sewer sanitation.

On motion of Senator Speed, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Friday, June 17.

S. B. 603, a bill to amend G. S. 116-7(c) with reference to the filling of vacancies on the Board of Governors.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 604, a bill to amend G. S. 116-7 with reference to the age limit for members of the Board of Governors.

On motion of Senator Winters Committee Amendment No. 1 is withdrawn.

Senator Winters offers Amendment No. 2 which is adopted.

The bill, as amended, fails to pass its second reading.

S. B. 705, Committee Substitute for S. B. 705, a bill to revise G. S. 143-128 concerning separate specifications for branches of work in the construction of public buildings.

On motion of Senator Whichard, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Friday, June 17.

S. B. 706, Committee Substitute for S. B. 706, a bill to authorize changes in public building construction after initial design and to reduce the obligation of sureties on bid bonds.

On motion of Senator Whichard, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Friday, June 17.

S. B. 709, Committee Substitute for S. B. 709, a bill to amend G. S. 66-58 relating to the sale of merchandise by State governmental units.

On motion of Senator Whichard, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Friday, June 17.

S. B. 710, Committee Substitute for S. B. 710, a bill to amend G. S. 116-143 to provide free tuition for full-time UNC faculty members.

On motion of Senator Wynne, consideration of the Committee Substitute bill is postponed until Friday, June 17.

S. B. 728, Committee Substitute for S. B. 728, a bill to amend the solicitation of Charitable Funds Act.

On motion of Senator Britt, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Friday, June 17.

S. B. 735, Committee Substitute for S. B. 735, a bill to allow cities and counties with ABC stores to vote on the sale of mixed beverages in social establishments and restaurants seating at least 36, upon third reading.

Senator Harris offers Amendment No. 1 which fails of adoption.

Senator Renfrow offers Amendment No. 2 which fails of adoption.

Senator Smith of New Hanover calls the previous question, duly seconded. The call is sustained.

The Committee Substitute bill passes its third reading and is ordered, without objection, sent to the House of Representatives by special messenger.

Senators Childers and Stallings request to be recorded voting "no."

S. B. 746, Committee Substitute for S. B. 746, a bill to provide limitations on actions for damages for personal injury, death or damage to property resulting from the use of products.

On motion of Senator Britt, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Friday, June 17.

S. B. 756, a bill to rewrite G. S. 20-81 concerning the issuance of official license plates to State officials and to correct uncertainties resulting from the enactment of Chapter 865 and Chapter 432 of the 1975 Session Laws.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. J. R. 771, a joint resolution establishing a commission to study the need for and determine what action, if any, is necessary to develop an endangered and threatened species program in North Carolina.

The joint resolution passes its second reading.

On objection of Senator Lawing to its third reading the joint resolution remains on the Calendar.

S. B. 808, a bill to add the president of the student government or the chairman of the executive board of the student body of each community college, technical institute, and industrial education center established pursuant to G. S. 115-A to the board of trustees of said institutions as **ex officio** voting members.

On motion of Senator Renfrow, consideration of the bill is postponed until Friday, June 17.

S. B. 820, a bill to authorize the levy of punitive damages against any person, firm or corporation that willfully or negligently burns another's timber.

On motion of Senator Garrison Committee Amendment No. 1 is withdrawn.

Senator Barnes offers Amendment No. 2 which is adopted.

Senator Hardison offers Amendment No. 3.

On motion of Senator Hardison, consideration of the bill, as amended, and pending Amendment No. 3 is postponed until Thursday, June 16.

S. B. 824, a bill to provide that restitution and reparation be incorporated as an integral part of the criminal justice system.

On motion of Senator Britt, consideration of the bill is postponed until Thursday, June 16.

S. J. R. 826, a joint resolution directing the Legislative Research Commission to study a proposed school health education project: The "Heed" project.

The joint resolution passes its second and third readings and is ordered sent to the House of Representatives.

S. J. R. 848, a joint resolution directing the Legislative Research Commission to complete the recodification of North Carolina's Public School Laws.

The joint resolution passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 856, a bill to provide for the appointment of members to the Craven County Board of Alcoholic Control by the Craven County Board of County Commissioners.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 53, Senate Committee Substitute for H. B. 53, a bill to transfer the North Carolina Drug Commission to the Department of Human Resources, upon third reading.

Senator Henley offers Amendment No. 1 which is adopted.

The Senate Committee Substitute bill, as amended, passes its third reading and is ordered, without engrossment, sent to the House of Representatives for consideration of the Senate Committee Substitute bill.

H. B. 124, Committe Substitute for H. B. 124, a bill to prohibit setting or using trap of leg-gripping or connibear type in Alleghany, Avery, Cleveland,

Forsyth, Mitchell, Moore, Nash, Stokes, and Yadkin Counties, upon second reading.

On motion of Senator Combs, Committee Amendment No. 1 is adopted.

The Committee Substitute bill, as amended, passes its second reading by roll-call vote, ayes 35, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Harrington, Henley, Kincaid, Lawing, Marion, Marvin, Mathis, Palmer, Raynor, Renfrow, Royall, Sharpe, Smith of New Hanover, Soles, Somers, Swain, Totherow, Walker, Webster, Whichard, White, and Winters — 35.

The Committee Substitute bill, as amended, remains on the Calendar.

H. B. 148, a bill to abolish the House Movers Licensing Board.

The bill passes its second and third readings and is ordered enrolled.

H. B. 276, Committee Substitute for **H. B. 276**, a bill to provide for the regulation of health maintenance organizations in North Carolina.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 302, Committee Substitute for **H. B. 302**, a bill to provide that the advertising of the price of ophthalmic materials be permitted in North Carolina.

On motion of Senator Garrison, consideration of the Committee Substitute bill is postponed until Friday, June 17.

H. B. 426, Committee Substitute for **H. B. 426**, a bill to provide that restitution and reparation be incorporated as an integral part of the criminal justice system.

The Committee Substitute bill passes its second reading.

On objection of Senator Allsbrook to its third reading the Committee Substitute bill remains on the Calendar.

H. B. 542, Committee Substitute for **H. B. 542**, a bill to regulate the setting of steel traps in Bladen, Columbus, and Sampson Counties.

Senator Renfrow offers Amendment No. 1 which is adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 671, a bill to regulate the setting of steel traps and connibear traps in certain counties, upon second reading.

The bill passes its second reading by roll-call vote, ayes 34, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Kincaid, Lawing, Marion, Palmer, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Swain, Totherow, Walker, Webster, and White — 34.

The bill remains on the Calendar upon third reading.

H. B. 680, a bill to amend the General Statutes to provide for freedom of choice by patients relating to psychological services, as amended.

On motion of Senator Soles, Committee Amendments No. 2 and No. 3 are adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendments.

H. B. 774, a bill to regulate hunting in Burke and Caldwell Counties, upon second reading.

On motion of Senator Combs, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading by roll-call vote, ayes 35, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Harrington, Harris, Henley, Kincaid, Lawing, Marion, Mathis, Palmer, Popkin, Renfrow, Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Swain, Totherow, Walker, Webster, Whichard, and White — 35.

The bill, as amended, remains on the Calendar upon third reading.

H. B. 1032, a bill relating to penalty for welfare fraud, upon second reading.

The bill passes its second reading by roll-call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Kincaid, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 45.

The bill remains on the Calendar upon third reading.

H. B. 1071, a bill to amend G. S. 116-143 to provide free tuition for full-time UNC faculty members.

Senator Smith of Guilford offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1073, a bill to amend Chapter 18A of the General Statutes to permit the sale of wine cocktails in Grade A Restaurants with on-premise wine permits.

On motion of Senator Soles, the bill is re-referred to the **Local Government and Regional Affairs Committee.**

H. B. 1158, Committee Substitute for **H. B. 1158,** a bill to expressly authorize a local ABC board to enter into a contract with a local law enforcement agency.

On motion of Senator Winters, Committee Amendment No. 1 is adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1164, a bill to authorize the Department of Transportation to participate in federal programs of railroad revitalization and to administer federal programs relating to railroad revitalization.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1167, a bill to transfer the historic Seaboard Coastline Building to the control of the Department of Cultural Resources to be used as a railroad museum and for other purposes.

Senator Whichard offers Amendment No. 1 which is adopted.

The bill, as amended, pases its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1242, a bill to authorize the hunting of bear in Holly Shelter Wildlife Refuge and baiting of game in Pender County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1244, a bill to correct a statutory reference concerning transportation of alcoholic beverages in for-hire vehicles.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1266, Committee Substitute for **H. B. 1266,** a bill to provide that all sessions of Superior and District Court of Brunswick County shall be held in the new county seat of Brunswick County.

The Committee Substitute bill passes its second and third readings.

Senator Barnes moves that the vote by which the Committee Substitute bill passed its third reading be reconsidered, which motion prevails.

Senator Barnes moves that the vote by which the Committee Substitute bill passed its second reading be reconsidered, which motion prevails.

Senator Barnes offers Amendment No. 1 which is adopted and is held to be material which constitutes the first reading of the bill. The Committee Substitute bill, as amended, remains on the Calendar upon second reading.

H. B. 1341, a bill to provide for the appointment of members to the Lenoir County Board of Alcoholic Control by the Lenoir County Board of County Commissioners.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1342, a bill to provide for the appointment of members to the Jones County Board of Alcoholic Control by the Jones County Board of County Commissioners.

The bill passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 109, an act to amend Chapter 135 of the General Statutes to provide for the inclusion of employees of the North Carolina Art Society in the Teachers' and State Employees' Retirement System.

S. B. 233, an act to amend G. S. 159-30(c)(5) to allow investment of idle funds of local governments in savings and loan associations as long as investments are fully secured.

S. B. 350, an act to amend G. S. 6-21 relating to cost in civil actions.

S. B. 354, an act to rewrite G. S. 14-46 relating to concealing the birth of a child.

S. B. 544, an act to amend Article 7A of Chapter 54 of the General Statutes, relating to mutual deposit guaranty associations.

H. B. 467, Committee Substitute for H. B. 467, an act to rewrite portions of Chapter 122 of the General Statutes of North Carolina dealing with area mental health programs and to repeal Articles 2A, 2C, and 2E of G. S. Chapter 122 which deal with current local mental health and area mental health programs.

H. B. 930, an act to include X-rays within the types of business and public records which may be destroyed after copies of the records have been recorded on microfilm or by another process which accurately reproduces or forms a durable medium for reproducing the original.

H. B. 1005, Committee Substitute for H. B. 1005, an act to amend Chapter 74B of the General Statutes, the Private Protective Services Act.

H. B. 1054, an act to amend Article 4, Chapter 114 of the General Statutes to provide for protection of public officials in certain instances by the North Carolina State Bureau of Investigation.

H. B. 1075, an act to amend G. S. 20-81.2 to further define requirements of special license plates for historic vehicles.

H. B. 1076, an act relating to primary forest product assessments.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:00 P.M.

ONE HUNDRED TWELFTH DAY

SENATE CHAMBER,
Thursday, June 16, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable John T. Henley, President Pro Tempore.

Prayer is offered by Dr. Edwards Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we know that more things are wrought by prayer than this world dreams of, and today we unite our prayers on behalf of Thy Servant, Ralph Scott, that those who minister to his needs may be given wisdom and skill to do for him that which will contribute to his recovery. We thank Thee that Thou art the Great Physician and that Thou art able to do for us even more than we ask or think. In this confidence, may we wait upon Thee, today and always. Amen."

Senator Royall for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President assumes the Chair.

The President grants a continuing leave of absence to Senator Scott due to serious illness and to Senator Somers for tomorrow, June 17.

Senator Hill is excused from a portion of today's Session.

S. B. 866, a bill to amend G. S. 95-86(3)b to delete superfluous language in the Minimum Wage Act regarding those employed in domestic service.

On motion of Senator Allsbrook, the rules are suspended, and the bill is taken from the **Judiciary I Committee** and re-referred to the **Manufacturing, Labor and Commerce Committee.**

H. B. 21, Committee Substitute for **H. B. 21**, a bill to amend G. S. 105-277.1(a)(2) to increase annual income allowable under the Homestead Tax Exemption, as amended.

On motion of Senator Rauch, the rules are suspended, and the Committee Substitute bill, as amended, is taken from the **Ways and Means Committee** and is placed on the Calendar for Friday, June 17.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Lawing for the **Banking Committee:**

S. B. 299, a bill to require disclosure detail regarding proceeds from loans used by candidates for political office and political committees, with a favorable report, as amended.

On motion of Senator Lawing, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 719, a bill to reorganize the Savings and Loan Division of the Department of Commerce and the Savings and Loan Commission and to provide for appointment of the administrator by the Secretary of Commerce, with a favorable report.

H. B. 1273, Committee Substitute for **H. B. 1273,** a bill to require notice to be mailed to savings and loan shareholders of the annual meeting of the association, with a favorable report.

H. B. 1410, a bill to make a technical amendment to G. S. 25A-36, with a favorable report.

By Senator Allsbrook for the **Constitutional Amendments Committee:**

S. B. 834, a bill to amend Article VI, Section 9(1) of the North Carolina Constitution to permit dual office holding as authorized by the General Assembly, with a favorable report.

H. B. 100, Committee Substitute for **H. B. 100,** a bill to amend the Constitution of North Carolina to insure the continuation of the policy of a balanced budget, with a favorable report, as amended.

By Senator Stallings for the **Education Committee:**

H. B. 985, a bill to increase the membership of the Textbook Commission, with a favorable report.

By Senator Rauch for the **Finance Committee:**

S. B. 835, a bill to amend Article 8, Chapter 90 of the General Statutes relating to chiropractors to grant authority for the increase of fees, with a favorable report.

H. B. 727, a bill to amend the Workmen's Compensation Act with respect to benefits for permanent and total disability, with a favorable report.

H. B. 1070, a bill to authorize the issuance of three hundred million dollars of bonds of the State to provide funds for the construction of highways subject to a vote of the qualified voters of the State, with a favorable report.

On motion of Senator Rauch, the rules are suspended, and the bill is placed on today's Calendar as Special Order of Business No. 1.

H. B. 1104, Committee Substitute for **H. B. 1104,** a bill to make technical revisions in Chapter 105 of the General Statutes, with a favorable report.

H. B. 1153, a bill amending Chapter 159C of the General Statutes which authorizes counties to create authorities to issue bonds to finance industrial and pollution control projects, to revise the provisions thereof relating to eligibility requirements for appointment to an authority, to the average manufacturing wage requirement for industrial projects, to the taxation of projects and tax exemption of interest on bonds, to contracts for the acquisition and construction of projects, and to conflicts of interest, to add provisions permitting the subordination of bonds to other security interests and providing that the Local Government Budget and Fiscal Control Act shall not apply to authorities, and to repeal provisions requiring an annual audit, with a favorable report, as amended.

H. B. 1179, Committee Substitute for **H. B. 1179,** a bill to authorize the issuance of two hundred thirty million dollars in bonds of the State to provide funds for environmental improvement through grants to units of government for construction and improvement of wastewater treatment works, wastewater collection systems and water supply systems, with a favorable report.

By Senator Harris for the **Human Resources Committee:**

S. B. 384, a bill to amend G. S. 108-24(3) to include within the definition of "dependent child", for the purposes of eligibility for medical assistance only, medically needy minors meeting income eligibility standards established by the General Assembly and to appropriate funds for implementation, with a favorable report.

On motion of Senator Harris, the bill is re-referred to the **Appropriations Commitee.**

S. B. 745, a bill to establish a statewide school health education program over a ten-year period of time, with a favorable report.

On motion of Senator Harris, the bill is re-referred to the **Appropriations Committee.**

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 434, a bill to provide for mandatory periodic judicial review in all cases where the custody of a child is removed from a parent, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Allsbrook, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

S. B. 488, a bill to provide for appealing from the Safety and Health Review Board directly to the Court of Appeals rather than to the Superior Court of Wake County, with an unfavorable report.

S. B. 539, Committee Substitute for **S. B. 539,** a bill to provide for the civil abatement of nuisances including obscene matter, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Allsbrook, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

S. B. 571, a bill to amend Article 5A of Chapter 122 of the General Statutes to provide legal representation for the interests of the petitioner in involuntary commitment proceedings by the district attorney or a private attorney appointed by the administrative office of the courts, with a favorable report.

On motion of Senator Allsbrook, the bill is re-referred to the **Appropriations Committee.**

S. B. 664, a bill to amend Chapter 90 of the General Statutes to require attending physicians to report certain wounds, injuries, and illnesses, without prejudice.

On motion of Senator Allsbrook, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 674, a bill to amend G. S. 1-440.12 to provide an opportunity for a hearing to State residents in attachment proceedings and to repeal Chapter 1, Article 34 of the General Statutes relating to arrest and bail in civil proceedings, with an unfavorable report.

S. B. 676, a bill to allow the court to appoint a guardian ad litem for a child in any divorce, custody, or support action, with an unfavorable report.

S. B. 721, a bill to provide for the reduction of certain traffic offenses to traffic infractions and to provide for administrative adjudication of traffic infractions, with an unfavorable report.

S. B. 774, a bill to make the representation or depiction of minors under the age of 16 in the context of sexual activity a felony, with an unfavorable report.

S. B. 807, a bill to allow district court judges to require the parents or legal guardian of children adjudicated undisciplined, delinquent, dependent, or neglected to participate in counseling as specified, with an unfavorable report.

S. B. 843, a bill to amend "The North Carolina Metropolitan Sewerage Districts Act", G. S. 162A-66 and G. S. 162A-68 to provide that certain petitions thereunder must be signed by qualified voters rather than freeholders, with a favorable report.

S. B. 854, a bill to supplement Chapter 17A of the General Statutes by designating specific prohibited actions to be misdemeanors with enforcement procedures and criminal penalties for violations, without prejudice.

On motion of Senator Allsbrook, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

H. B. 73, Committee Substitute for H. B. 73, a bill to amend G. S. 14-269.1 by providing that confiscated weapons not disposed of pursuant to G. S. 14-269.1(a)(1) through (4) shall be ordered turned over to the State

Bureau of Investigation, and make private use by a law enforcement officer of a confiscated weapon a misdemeanor, with an unfavorable report.

H. B. 1129, a bill to amend Chapter 90 of the General Statutes to require certain physicians and hospitals to report certain wounds, injuries and illnesses, with an unfavorable report.

By Senator Britt for the **Judiciary II Committee:**

S. B. 765, a bill establishing the procedure for retaining an individual's driver's license in order to insure his appearance in court, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Britt, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

S. B. 872, a bill to amend Chapter 13 of the General Statutes relating to restoration of rights of federal prisoners, with a favorable report.

S. B. 873, a bill to amend G. S. 143-215.1(c)(1) so as to modify environmental permit procedures, with a favorable report.

S. B. 877, a bill to amend Chapter 6, Private Laws of North Carolina 1840-1841, as amended, pertaining to the constructon, operation and financing of hospital facilities by trustees of the Rex Hospital, Raleigh, North Carolina, with a favorable report.

H. B. 1024, a bill providing for the accurate identification of records ordered to be expunged, with a favorable report.

H. B. 1241, Committee Substitute for **H. B. 1241,** a bill to delete Dorothea Dix Hospital from the provisions of G. S. 129-42.1, with an unfavorable report as to Committee Substitute bill, favorable as to Senate Committee Substitute bill.

On motion of Senator Britt, the rules are suspended, and the Senate Committee Substitute bill is placed on today's Calendar.

H. B. 1356, a bill to amend the provisions for final disposition or transportation of deceased migrant farm workers, with a favorable report.

By Senator Childers for the **Manufacturing, Labor and Commerce Committee:**

S. B. 490, a bill to make employees of State and local governments subject to the North Carolina Minimum Wage Act, without prejudice.

On motion of Senator Childers, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 569, a bill to make amendments to the Motor Vehicle Dealers and Manufacturers Licensing Law, without prejudice.

On motion of Senator Childers, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

H. B. 873, Committee Substitute for **H. B. 873**, a bill to make theater employees subject to the North Carolina Minimum Wage Act and to temporarily set a $2.00 minimum for seasonal recreational employees, with a favorable report, as amended.

H. B. 874, a bill to redefine "tipped employee" and to require that certain conditions must be met in order for the employer to qualify for "tip credit", with a favorable report, as amended.

By Senator Webster for the **Public Utilities and Energy Committee:**

H. B. 445, Committee Substitute for **H. B. 445**, a bill to provide for the fixing of utiilty rates in North Carolina based upon the reasonable original cost of the property of the public utility used and useful in providing service to the public, with a favorable report, as amended.

On motion of Senator Webster, the Committee Substitute bill is placed on the Calendar for Monday, June 20, as Special Order of Business No. 1.

By Senator Henley for the **Rules and Operation of the Senate Committee:**

S. J. R. 879, a joint resolution establishing a Special Interim Joint Committee to study the Rules of the General Assembly, with a favorable report.

By Senator Royall for the **Special Committee on Ways and Means:**

S. B. 883, a bill to assign an agent of the State Bureau of Investigation to the Lieutenant Governor to assist in his official duties, with a favorable report.

H. B. 1124, a bill to amend Article 24A of Chapter 58 of the General Statutes relating to mutual burial association, with a favorable report.

On motion of Senator Royall, the bill is re-referred to the **Finance Committee.**

H. B. 1151, a bill to promote the acquisition by the State of buildings and space in buildings having historic, architectural or cultural significance, with a favorable report.

H. B. 1195, Committee Substitute for **H. B. 1195**, a bill to amend G. S. 143-132 to permit award of public contracts for construction and repair upon receipt of fewer than three bids when doing so best serves the public interest, with a favorable report.

H. B. 1202, a bill to amend Chapter 25 of the General Statutes specifically giving the Department of Cultural Resources responsibility for planning and coordinating cooperative library development, with a favorable report.

H. B. 1246, a bill to amend Chapter 115, Article 2A of the General Statutes pertaining to the Council on Educational Services for Exceptional Children, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Hardison:

S. B. 889, a bill to provide that the Lieutenant Governor and the Speaker of the House shall be ex officio members of the Advisory Budget Commission.
Referred to **Special Committee on Ways and Means.**

By Senator Stallings:

S. B. 890, a bill to increase the size of the Carteret County Board of Alcoholic Control from three members to five members.
Referred to **Alcoholic Beverage Control Committee.**

By Senator Swain:

S. B. 891, a bill to amend Article 25A of Chapter 58 of the General Statutes relating to judicial review-aggrieved party.
Referred to **Judiciary I Committee.**

By Senator Smith of Guilford:

S. B. 892, a bill to amend G. S. 105-60, Day-Care Facilities Privilege License Tax.
Referred to **Finance Committee.**

By Senators Smith of Guilford and Marvin:

S. B. 893, a bill to amend Chapters 66 and 148 of the General Statutes concerning State policy on prison labor.
Referred to **Courts and Judicial Districts Committee.**

By Senators Smith of Guilford, Sharpe, and Marvin:

S. J. R. 894, a joint resolution honoring the members of Chrysalis and the Raleigh Woman's Club for their outstanding accomplishment in winning the National America-the-Beautiful-Foundation Award.
Referred to **Rules and Operation of the Senate Commitee.**

The Rules are suspended to allow the referral of the following bill filed today to committee:

By Senator Smith of Guilford:

S. B. 895, a bill to amend G. S. 53-128 and G. S. 54-44 concerning derogatory statements of financial condition of banks or building and loan associations.
Referred to **Banking Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

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S. B. 2, a bill to provide that the primary election shall be held in May and to make appropriate changes in the election laws, for concurrence in the House amendments which is placed on the Calendar for Friday, June 17.

S. B. 360, House Committee Substitute for **S. B. 360,** a bill to amend the law relating to parents' right to dispose of custody and tuition of minor children by will.

Referred to **Judiciary II Committee.**

S. B. 596, House Committee Substitute for **S. B. 596,** a bill to exempt from inclusion in gross estate for inheritance tax purposes the first three thousand dollars of gifts made within three years of donor's death.

Referred to **Finance Committee.**

H. B. 93, Committee Substitute No. 2 for **H. B. 93,** a bill to permit a person's life to be insured for the benefit of his or her spouse or children or both.

On motion of Senator Marvin, the rules are suspended, and the Committee Substitute bill No. 2 is placed before the Senate for immediate consideration, and on her further motion the Committee Substitute bill No. 2 is postponed indefinitely.

H. B. 468, Committee Substitute for **H. B. 468,** a bill to amend G. S. 90-297 to extend the speech and language pathologist and audiologist grandfather clause closing date and provide notice to persons who may be affected thereby.

Referred to **Judiciary II Committee.**

H. B. 1026, a bill to amend G. S. 15-223 to make it clear that the expunction of records of conviction law does not apply to traffic violations.

Referred to **Judiciary II Committee.**

H. B. 1333, a bill to secure effective enforcement of the insulation and energy utilization standards of the State Building Code and to further protect the purchasers of products and services designed to meet those standards.

Referred to **Judiciary II Committee.**

H. B. 1379, Committee Substitute for **H. B. 1379,** a bill to amend G. S. 7A-39.3(a), G. S. 7A-39.6, G. S. 7A-52(a), G. S. 7A-53, and G. S. 7A-4.20, relating to the recall to active service of retired justices and judges.

Referred to **Courts and Judicial District Committee.**

H. B. 1406, a bill to extend the laws relating to breaking into or damaging coin-operated vending and other machines to apply to currency-operated machines.

Referred to **Judiciary II Committee.**

H. B. 1411, a bill to include the word "commitment" in the preamble to G. S. 24-1.1 and to add said preamble to G. S. 24-1.2.

Referred to **Banking Committee.**

H. J. R. 1447, a joint resolution congratulating American Drew, Inc., of North Wilkesboro, a Sperry and Hutchinson Company, on its 50th Anniversary.

On motion of Senator Marion, the rules are suspended, and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second and third readings and is ordered enrolled.

H. B. 1448, a bill to rewrite G. S. 130-169 so as to eliminate dual inspection requirement by the Department of Agriculture and local health officials.

Referred to **Agriculture Committee.**

H. B. 1485, a bill to amend G. S. 93A-4(a) to delete the requirement that real estate brokers be citizens of the United States.

Referred to **Judiciary II Committee.**

H. B. 1497, a bill to delete the mandatory jury requirements for damages under G. S. 75-16.

Referred to **Judiciary II Committee.**

H. B. 1507, a bill to authorize the Dean of the School of Law of Campbell College to appoint a member to the General Statutes Commission.

Referred to **Judiciary II Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

SPECIAL ORDER NO. 1

H. B. 1070

The hour having arrived for the consideration of Special Order No. 1, the President of the Senate lays before the Senate Special Order No. 1, it being **H. B. 1070**, a bill to authorize the issuance of three hundred million dollars of bonds of the State to provide funds for the construction of highways subject to a vote of the qualified voters of the State, upon second reading.

The bill passes its second reading by roll-call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 44.

Those voting in the negative are: Senators Davis and Somers — 2.

The bill remains on the Calendar upon third reading.

S. B. 84, Committee Substitute for S. B. 84, a bill to amend the rules of evidence in rape cases.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 150, Committee Substitute for S. B. 150, a bill to repeal Articles 13, 13A, 13B and 25 of General Statutes Chapter 58 relating to the Fire Insurance Rating Bureau, fire and casualty insurance rate regulation, and regulation of automobile liability insurance rates; to provide a new method of rate regulation; and to amend Chapters 58 and 97 to consolidate the functions of the Fire Insurance Rating Bureau, the Compensation Rating and Inspections Bureau, and the Automobile Rate Administration Office; and to assure the proper operation of the North Carolina Reinsurance Facility on a sustaining but nonprofit basis.

On motion of Senator Totherow, consideration of the Committee Substitute bill is postponed until Friday, June 17.

S. B. 299, a bill to require disclosure detail regarding proceeds from loans used by candidates for political office and political committees.

On motion of Senator Royall, consideration of the bill is postponed until Friday, June 17.

S. B. 319, Committee Substitute for S. B. 319, a bill to authorize the State Board of Alcoholic Control to issue special permits for the sale of intoxicating liquors by certain persons not holding wholesale or retail permits.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 434, Committee Substitute for S. B. 434, a bill to provide for mandatory periodic judicial review in all cases where the custody of a child is removed from a parent.

On motion of Senator Allsbrook, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Monday, June 20.

S. B. 539, Committee Substitute for S. B. 539, a bill to provide for the civil abatement of nuisances including obscene matter.

On motion of Senator Allsbrook, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Friday, June 17 as Special Order of Business No. 1.

S. B. 765, Committee Substitute for S. B. 765, a bill establishing the procedure for retaining an individual's driver's license in order to insure his appearance in court, in the Twelfth Judicial District.

On motion of Senator Britt, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Monday, June 20.

S. J. R. 771, a joint resolution establishing a commission to study the need for and determine what action, if any, is necessary to develop an endangered and threatened species program in North Carolina, upon third reading.

On motion of Senator Jordan, the joint resolution is recommitted to the **Special Committee on Ways and Means.**

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S. B. 789, a bill to provide for one representative from each congressional district on the Veterans' Affairs Commission and to make other conforming changes, as amended, upon third reading.

On motion of Senator Palmer, consideration of the bill, as amended, is postponed until Monday, June 20.

S. B. 790, a bill to require county boards of elections to meet and pass upon all applications for registration.

On motion of Senator Speed, consideration of the bill is postponed until Friday, June 17.

S. B. 800, a bill to amend G. S. 143-215.108(b) so as to modify environmental permit procedures.

On motion of Senator Hardison, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading.

On objection of Senator Smith of Guilford to its third reading the bill, as amended, remains on the Calendar.

S. B. 802, a bill to amend G. S. 143-215.3(a)(1) to require an economic impact statement on environmental regulations.

The bill passes its second reading.

On objection of Senator Smith of Guilford to its third reading the bill remains on the Calendar.

S. B. 804, a bill to amend G. S. 143-215.4(d)(6) and G. S. 143-215.15(f)(7) to change the burden of proof for permit denials and penalty assessments.

The bill passes its second reading.

On objection of Senator Smith of Guilford to its third reading the bill remains on the Calendar.

S. B. 820, a bill to authorize the levy of punitive damages against any person, firm or corporation that willfully or negligently burns another's timber, as amended.

Pending Amendment No. 3 offered June 15 by Senator Hardison, is withdrawn.

Senator Allsbrook offers Amendment No. 4 which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 824, a bill to provide that restitution and reparation be incorporated as an integral part of the criminal justice system.

On motion of Senator Britt, duly seconded, the bill is postponed indefinitely.

S. B. 829, a bill to permit counties to restructure their governing boards in the same manner as may cities.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 836, a bill to amend Chapter 127A of the General Statutes to provide for the awarding of civilian service medals and awards for services rendered to the North Carolina National Guard.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 839, a bill requiring heads of State departments to report possible violations of the criminal statutes involving misuse of State property to the State Bureau of Investigation.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 847, a bill to provide that the acceptance of Medicaid constitutes an assignment to the State of right to third party insurance benefits and to prescribe procedure for recovery of said benefits.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 850, a bill to amend Chapter 44A of the General Statutes to require a notice of lis pendens be filed in each county in which the lien is filed, except the county in which the action enforcing the lien is commenced, within 180 days after the last furnishing of labor or materials at the site of the improvement by the person claiming the lien in order to be entitled to the priorities under the provisions of G. S. 44A-14(a).

Senator Davis offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 855, a bill to revise and consolidate the Charter of the Town of Princeville and to repeal prior local acts, upon second reading.

The bill passes its second reading by roll-call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, White, Winters, and Wynne — 42.

The bill remains on the Calendar upon third reading.

S. J. R. 857, a joint resolution congratulating American Drew, Inc., of North Wilkesboro, a Sperry and Hutchinson Company, on its 50th Anniversary.

On motion of Senator Marion, duly seconded, the joint resolution is postponed indefinitely.

S. J. R. 858, a joint resolution requesting Congress to propose an amendment to the Federal Constitution to require that the total of all federal appropriations not exceed the total of all estimated federal revenues in any fiscal year, with certain exceptions.

The joint resolution passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 861, a bill to create Wendell-Knightdale Airport Authority.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 869, a bill to amend Chapter 159B of the General Statutes to implement the provisions of Article V, Section 10 of the North Carolina Constitution.

On motion of Senator Webster, consideration of the bill is postponed until Friday, June 17.

H. B. 124, Committee Substitute for **H. B. 124**, a bill to prohibit setting or using trap of leg-gripping or connibear type in Alleghany, Avery, Cleveland, Forsyth, Mitchell, Moore, Nash, Stokes, and Yadkin Counties, as amended, upon third reading.

The Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 37, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Harrington, Harris, Henley, Kincaid, Lake, Lawing, Marion, Marvin, McDuffie, Palmer, Popkin, Rauch, Renfrow, Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Walker, White, Winters, and Wynne — 37.

The Committee Substitute bill, as amended, is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 212, Committee Substitute for **H. B. 212**, a bill to permit stolen property to be restored to rightful owners in advance of trial.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 302, Committee Substitute for **H. B. 302**, a bill to provide that the advertising of the price of ophthalmic materials be permitted in North Carolina.

On motion of Senator Allsbrook, the Committee Substitute bill is recommited to the **Judiciary I Committee.**

H. B. 426, Committee Substitute for **H. B. 426**, a bill to provide that restitution and reparation be incorporated as an integral part of the criminal justice system, upon third reading.

The Committee Substitute bill passes its third reading and is ordered enrolled.

H. B. 551, a bill to amend Article 22A of Chapter 163 of the General Statutes to require office holders to report certain funds as campaign contributions and expenditures.

The bill passes its second and third readings and is ordered enrolled.

H. B. 621, Committee Substitute for **H. B. 621**, a bill to amend G. S. 14-269 to authorize law enforcement agencies to regulate possession of concealed weapons by law enforcement officers.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 666, a bill to require disclosure detail regarding proceeds from loans used by candidates for political office and political committees.

Senator McDuffie calls the previous question, duly seconded. The call is sustained.

The bill passes its second reading.

On objection of Sentaor Royall to its third reading the bill remains on the Calendar.

H. B. 671, a bill to regulate the setting of steel traps and connibear traps in certain counties, upon third reading.

On motion of Senator Combs, the bill is recommitted to the **Wildlife Committee.**

H. B. 774, a bill to regulate hunting in Burke and Caldwell Counties, as amended, upon third reading.

The bill, as amended, passes its third reading by roll-call vote, ayes 37, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Harrington, Harris, Henley, Kincaid, Lake, Lawing, Marion, Marvin, McDuffie, Palmer, Popkin, Rauch, Renfrow, Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Walker, White, Winters, and Wynne — 37.

The bill, as amended, is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 817, Committee Substitute for **H. B. 817,** a bill to abolish the Gastonia Industrial Diversification Tax and Commission.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 826, a bill to amend the biennial licensure fee of the Board of Examiners for Nursing Home Administrators and to authorize examination and training program fees, upon second reading.

On motion of Senator Rauch, Committee Amendments No. 1 and No. 2 are adopted.

The bill, as amended, passes its second reading by roll-call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Lawing, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Soles, Somers, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 42.

The bill, as amended, remains on the Calendar upon third reading.

H. B. 889, Committee Substitute for **H. B. 889,** a bill relating to the method of election and composition of Orange County Board of Education.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

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H. B. 1032, a bill relating to penalty for welfare fraud, upon third reading.

The bill passes its third reading by roll-call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Totherow, Vickery, Walker, Webster, Whichard, White, and Wynne — 40.

The bill is ordered enrolled.

H. B. 1046, Committee Substitute for **H. B. 1046**, a bill to authorize withdrawal of erroneous bids on public construction contracts.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 1051, a bill to permit the collection in alcoholic beverage control stores donations to the Alcoholism Research Fund.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1056, Committee Substitute for **H. B. 1056**, a bill to authorize changes in public building construction after initial design and to reduce the obligation of sureties on bid bonds.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 1057, Committee Substitute for **H. B. 1057**, a bill to revise G. S. 413-128 concerning separate specifications for branches of work in the construction of public buildings.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 1079, a bill to increase the annual license renewal fee for podiatrists from a fee not to exceed fifty dollars to a fee not to exceed one hundred fifty dollars, upon second reading.

The bill passes its second reading by roll-call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Soles, Somers, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 40.

The bill remains on the Calendar, upon third reading.

H. B. 1096, Committee Substitute for **H. B. 1096**, a bill to redefine the duties of the Veterans Affairs Commission.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 1144, a bill to clarify the authority of the Secretary of Correction to place an inmate on work release.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1145, a bill to amend G. S. 148-60.3 to correct a technical error and to delete the seven day's notice requirement thereof.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1148, a bill to amend G. S. 113-95, relating to hunting and fishing license fees, so as to provide for a reduced fee for totally disabled residents of this State, upon second reading.

On motion of Senator Rauch, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading by roll-call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Davis, Garrison, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guliford, Soles, Somers, Swain, Totherow, Walker, White, Winters, and Wynne — 38.

The bill, as amended, remains on the Calendar, upon third reading.

H. B. 1166, a bill to amend Article 1A of Chapter 90 and Article 8 of Chapter 110 to provide for emergency medical treatment of minors over parental objection.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1168, a bill to amend Chapter 163 of the General Statutes to change the title of executive secretary of county boards of elections to supervisor of elections.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1215, a bill to create a Youth Services Advisory Committee, to abolish the Commission of Youth Services and the Technical Advisory Committee and to make conforming and technical corrections in the General Statutes.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1229, a bill to allow a local health director to confine an animal having rabies or suspected of having rabies if the owner refuses to do so.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1241, Senate Committee Substitute for Committee Substitute for H. B. 1241, a bill to delete Dorothea Dix Hospital from the provisions of G. S. 129-42.1.

On motion of Senator Britt, the Senate Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Monday, June 20.

H. B. 1255, a bill amending the Milk Commission rules filing.

The bill passes its second and third readings and is ordered enrolled.

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H. B. 1257, Committee Substitute for **H. B. 1257**, a bill to amend G. S. 105-360(a)(1) to provide for a grace period for payment of county and municipal taxes, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Davis, Garrison, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Soles, Somers, Swain, Totherow, Vickery, Walker, White, Winters, and Wynne — 41.

The Committee Substitute bill remains on the Calendar upon third reading.

H. B. 1258, a bill to amend Article 3 of Chapter 135 of the General Statutes to provide a contributory medical and hospital benefit care plan for members and former members of the General Assembly, their spouses, and dependents to be administered by the Board of Trustees of the Retirement System.

The bill passes its second reading.

Senator Smith of Guilford objects to the third reading of the bill.

Senator Whichard moves that the rules be suspended to the end that the bill be considered upon third reading, which motion prevails.

The bill passes its third reading and is ordered enrolled.

H. B. 1266, Committee Substitute for **H. B. 1266**, a bill provide that all sessions of Superior and District Court of Brunswick County shall be held in the new county seat of Brunswick County, as amended, upon second reading.

The bill, as amended, passes its second reading by roll-call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Kincaid, Lawing, Marion, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, White, Winters, and Wynne — 39.

The bill, as amended, remains on the Calendar upon third reading.

H. B. 1278, a bill to correct an error in the Avery County Registry.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1288, a bill to amend Chapter 671 of the 1975 Sessions Laws to provide for reconsideration of assessments by the City Council of the City of Durham, upon second reading.

The bill passes its second reading by roll-call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow,

Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, White, and Winters — 41.

The bill remains on the Calendar upon third reading.

H. B. 1305, a bill to provide for one representative from each congressional district on the Veteran's Affairs Commission and to make other conforming changes.

On motion of Senator Palmer, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1311, a bill to provide for the organization of the Gaston County Board of Education, the nomination and election of its members, to define in part their powers and authority and to repeal all public, public-local and private laws in conflict with this Act, upon second reading.

The bill passes its second reading by roll-call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Sharpe, Smith of Guliford, Smith of New Hanover, Somers, Speed, Stallings, Swain, Totherow, Walker, White, and Winters — 39.

The bill remains on the Calendar upon third reading.

H. B. 1353, a bill to amend Chapter 308, Session Laws of 1977 to correct errors relating to the election of members of the Goldsboro City Board of Education.

The bill passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 90, House Committee Substitute for **S. B. 90**, an act to establish the standards for land parcel identifier numbers and to authorize the creation and maintenance of land records indexes by parcel identifier numbers.

S. B. 129, an act to make Indochina refugees eligible for in-state tuition status.

S. B. 358, an act to require any person acknowledging paternity to do so during the child's lifetime, for purposes of intestate succession.

S. B. 362, an act to make miscellaneous changes in G. S. Chapter 51 relating to marriage.

S. B. 509, an act to rewrite G. S. 54-21.2(b) allowing State-chartered savings and loan associations to make any loans or investments permitted to federal savings and loan associations.

S. B. 510, an act to authorize savings and loan associations to employ such methods of loan repayment as shall be prescribed by the Administrator of the Savings and Loan Division.

S. B. 612, an act to amend Article 2, Part 5 of Chapter 108 of the General Statutes to provide for periods of ineligibility for medical assistance in cases where real property is transferred for the purpose of qualifying for such assistance.

S. J. R. 633, a joint resolution commending President Carter for his efforts to establish a sound national energy policy and urging speedy congressional consideration of his proposals.

S. B. 673, an act to amend Article 1, Chapter 69 of the General Statutes, to provide authorization for chiefs of rural fire departments to investigate fires; to permit the submission of reports by computer; and to substitute Attorney General for references to Commissioner of Insurance to conform with G. S. 143A-52.

S. B. 675, an act amending G. S. 67-3 concerning the death of human beings caused by dogs.

S. B. 733, Committee Substitute for S. B. 733, an act to amend G. S. 90-64 to modify reciprocity requirements for pharmacists licensed by another state.

H. B. 148, an act to abolish the House Movers Licensing Board.

H. B. 276, Committee Substitute for H. B. 276, an act to provide for the regulation of health maintenance organizations in North Carolina.

H. B. 319, Committee Substitute for H. B. 319, an act to disqualify from service on the Commission for the Blind those individuals who could profit from the decisions of the Commission.

H. B. 370, Committee Substitute No. 2 for H. B. 370, an act to authorize health services for minors.

H. B. 1159, an act to authorize the Commissioner of Labor to waive the provisions of the Child Labor Regulations Laws when in his opinion the saefty or health of the minor would not be adversely affected.

H. B. 1164, an act to authorize the Department of Transportation to participate in federal programs of railroad revitalization and to administer federal programs relating to railroad revitalization.

H. B. 1242, an act to authorize the hunting of bear in Holly Shelter Wildlife Refuge and baiting of game in Pender County.

H. B. 1244, an act to correct a statutory reference concerning transportation of alcoholic beverages in for-hire vehicles.

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H. B. 1341, an act to provide for the appointment of members to the Lenoir County Board of Alcoholic Control by the Lenoir County Board of County Commissioners.

H. B. 1342, an act to provide for the appointment of members to the Jones County Board of Alcoholic Control by the Jones County Board of County Commissioners.

On motion of Senator Henley, the Senate adjourns, pausing for a minute of silent prayer for Senator Scott, to meet tomorrow at 10:00 A.M.

ONE HUNDRED THIRTEENTH DAY

SENATE CHAMBER,
Friday, June 17, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"O Thou who art the strength of the weak and the hope of the hopeless, hear our prayer as we seek Thy direction in making all the decisions of life. We thank Thee for problems beyond our capacity to solve, for it is in such situations that we are compelled to acknowledge the limitations of our humanity and our dependence upon Thee. For Thy name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Marion, Lawing, Alexander, and Whichard for today, and to Senator Smith of New Hanover for Monday, June 20.

Leaves of absence granted previously to Senators Somers and Scott are noted.

Pursuant to G. S. 120-74, the President appoints Senators Crawford, Hardison, Henley, Royall, and Totherow to serve as members of the Joint Legislative Commission on Governmental Operations for a term of office expiring January 15, 1979.

S. B. 234, a bill to amend General Statutes Chapter 110, Article 9 (Child Support) to transfer from the clerk of superior court to the county Department of Social Services responsibility for receiving certain payments for child support and to delete the requirement for confidentiality of support agreements.

Senator Henley moves that the rules be suspended and the vote by which the bill failed to pass its second reading be reconsidered, which motion fails to prevail.

S. B. 431, a bill to provide for sales tax on stevedore equipment to be at the rate of one percent of the sales price.

On motion of Senator Rauch, the rules are suspended, and the bill is taken from the **Special Committee on Ways and Means** and is re-referred to the **Ways and Means Committee.**

S. B. 774, a bill to make the representation or depiction of minors under the age of 16 in the context of sexual activity a felony.

Senator Allsbrook moves that the rules be suspended and the bill be taken from the table and placed on the Calendar for further consideration, which motion prevails.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hardison for the **Appropriations Committee:**

S. B. 16, a bill to make appropriations for current operations of State departments, institutions, and agencies, and for other purposes, with a favorable report, as amended.

On motion of Senator Hardison, the bill is re-referred to the **Ways and Means Committee.**

S. B. 17, a bill to make appropriations to provide capital improvements for State departments, institutions, and agencies, with a favorable report, as amended.

On motion of Senator Hardison, the bill is re-referred to the **Ways and Means Committee.**

By Senator Rauch for the **Finance Committee:**

S. B. 748, a bill to amend G. S. 135-4(1) to allow members of the State retirement system to purchase credit for retirement purposes for service previously rendered private higher educational institutions located in or outside of North Carolina, with an unfavorable report.

S. B. 875, a bill to increase the motor vehicle registration fee for support of driver education programs from two dollars to three dollars, with a favorable report.

On motion of Senator Rauch, the bill is re-referred to the **Ways and Means Committee.**

H. B. 342, Committee Substitute for **H. B. 342**, a bill to amend Chapter 18A of the General Statutes concerning the issuance of special occasion permits and the fees for such permits, with a favorable report.

H. B. 632, Committee Substitute for **H. B. 632,** a bill to amend Chapter 105 of the General Statutes to provide for a tax rebate on fuels used in concrete mixers which do not propel such vehicle on the public highway, with a favorable report.

On motion of Senator Rauch, the Committee Substitute bill is re-referred to the **Ways and Means Committee.**

H. B. 858, Committee Substitute for **H. B. 858,** a bill to permit sales and use tax refunds on medicines and drugs purchased by certain hospitals, with a favorable report.

On motion of Senator Rauch, the Committee Substitute bill is re-referred to the **Ways and Means Committee.**

By Senator Harris for the **Human Resources Committee:**

S. B. 725, a bill to create in the Department of Administration an Advocacy Council for the Handicapped, with a favorable report, as amended.

H. B. 919, a bill to amend Part 2, Article 3 of Chapter 108 and G. S. 143B-153(3)c. to provide that the Department of Human Resources shall inspect and license all child-caring institutions in North Carolina except those specifically exempt, with a favorable report.

H. B. 1063, a bill to amend G. S. 130-9(e) to provide that State inspections of nursing homes shall be given without notice and that the giving of prior notice of inspection shall be a misdemeanor, with a favorable report.

H. B. 1169, a bill to prohibit a landlord, owner, or agent from refusing to rent or sell his premises to a visually handicapped person because he has a guide dog, with a favorable report.

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 767, a bill to amend the North Carolina Credit Union Laws to permit the qualification of Foreign State-Chartered Credit Unions to do business in North Carolina, with a favorable report.

By Senator Britt for the **Judiciary II Committee:**

H. B. 1050, a bill to revive and improve certain provisions of Chapter 75 of the General Statutes, to protect the citizens of North Carolina from unfair, unethical, deceptive and unscrupulous business practices, with an unfavorable report as to bill, favorable as to Senate Committee Substitute bill.

On motion of Senator Britt, the rules are suspended, and the Senate Committee Substitute bill is placed on today's Calendar.

By Senator Royall for the **Special Committee on Ways and Means:**

S. B. 754, a bill to create a commission to study the statewide system of State parks and to make recommendations for necessary legislation to the 1977-1978 Session of the General Assembly, with a favorable report.

On motion of Senator Royall, the bill is re-referred to the **Appropriations Committee.**

S. B. 755, a bill to amend Chapter 1007 of the 1971 Session Laws to provide two additional TEACCH centers in Charlotte and Wilmington, with a favorable report.

On motion of Senator Royall, the bill is re-referred to the **Appropriations Committee.**

S. B. 770, a bill authorizing the recodification, revision and republication of the Statutory Law of General Applicability of the State of North Carolina and appropriating funds therefor, with an unfavorable report.

S. B. 817, a bill to amend G. S. 160A-360 to provide for use of current population of municipalities in determining planning jurisdiction, with a favorable report, as amended.

S. B. 833, a bill creating a consumer products safety study commission, with a favorable report.

On motion of Senator Royall, the bill is re-referred to the **Appropriations Committee.**

S. J. R. 849, a joint resolution creating the Commission on the Study of the Necessity and Efficiency of Retaining Regional Offices in the Department of Human Resources, with an unfavorable report as to joint resolution, favorable as to Committee Substitute joint resolution.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute joint resolution is placed on today's Calendar.

H. B. 921, a bill to amend G. S. 108-46 to require the county from which an AFDC recipient moves to pay the amount as assistance to which the recipient is entitled for a period of one month following the move, with a favorable report.

H. B. 922, a bill to amend G. S. 108-47 relating to public assistance checks made payable to decedents, with a favorable report.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. B. 124, Committee Substitute for **H. B. 124**

HOUSE OF REPRESENTATIVES
June 17, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate amendment to **H. B. 124,** Committee Substitute for **H. B. 124,** a bill to prohibit setting or using trap of leg-gripping or connibear type in Alleghany, Avery, Cleveland, Forsyth, Mitchell, Moore, Nash, Stokes, and Yadkin Counties, and request conferees. The Speaker has appointed Representatives Martin,

Wiseman, and Edwards on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,
GRACE A. COLLINS
Principal Clerk

Senator Speed moves that the President appoint conferees, which motion prevails. The President appoints Senators Speed, Daniels, and Kincaid as conferees on the part of the Senate and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senators Smith of Guilford and Stallings:

S. J. R. 896, a joint resolution creating a commission to study the authorization for and use of office and clerical personnel within the primary and secondary school systems of North Carolina.

Referred to **Rules and Operation of the Senate Committee.**

By Senators Walker, Vickery, Marvin, Gray, Kincaid, Webster, Wynne, Harris, Marion, Lake, and Winters:

S. B. 897, a bill to provide an additional tax exemption for persons having chronic irreversible renal disease.

Referred to **Finance Committee.**

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. B. 1487, a bill to amend Part 4 of Article 3 of Chapter 143B of the General Statutes to reorganize the Commission for Mental Health Services to include adequate representation for mentally retarded citizens.

Referred to **Human Resources Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 78, Committee Substitute for S. B. 78, a bill to amend G. S. 115.25 relative to the eligibility to school employees and district committee members to serve on boards of education, for concurrence in the House amendment which is placed on the Calendar for Monday, June 20.

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S. B. 722, a bill to amend G. S. 15A-274, issuance of order, for concurrence in the House amendment which is placed on the Calendar for Monday, June 20.

S. B. 756, a bill to rewrite G. S. 20-81 concerning the issuance of official license plates to State officials and to correct uncertainties resulting from the enactment of Chapter 865 and Chapter 432 of the 1975 Session Laws, for concurrence in the House amendments which is placed on the Calendar for Monday, June 20.

S. B. 856, a bill to provide for the appointment of members to the Craven County Board of Alcoholic Control by the Craven County Board of County Commissioners, for concurrence in the House amendment which is placed on the Calendar for Monday, June 20.

H. B. 448, a bill to provide for the collection and disbursement of family support payments by clerk of superior court instead of Department of Social Services in Richmond County.

On motion of Senator Garrison, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 576, Committee Substitute for H. B. 576, a bill providing for mandatory prison confinement for persons convicted of armed robbery.

Referred to **Judiciary II Committee.**

H. J. R. 811, a joint resolution continuing the Criminal Code Commission.

Referred to **Rules and Operation of the Senate Committee.**

H. B. 814, Committee Substitute for H. B. 814, a bill to amend the exemptions from the Lobbying Act.

Referred to **Judiciary II Committee.**

H. B. 884, Committee Substitute for H. B. 884, a bill to transfer North Carolina Housing Finance Agency from the Department of the Treasurer to the Department of Natural and Economic Resources and to make necessary conforming and technical changes in the General Statutes of North Carolina.

Referred to **State Government Committee.**

H. B. 975, Committee Substitute for H. B. 975, a bill to rewrite Chapter 83 of the General Statutes as Chapter 38A relating to architects.

Referred to **Judiciary II Committee.**

H. B. 1121, a bill to amend Chapter 133 of the General Statutes entitled Public Works.

Referred to **Judiciary II Committee.**

H. B. 1200, a bill to amend Article 13B of Chapter 130 of the General Statutes to provide for penalties and remedies.

Referred to **Special Committee on Ways and Means.**

H. B. 1201, a bill to rewrite the Solid Waste Management Act.

Referred to **Special Committee on Ways and Means.**

H. B. 1224, a bill to create statutory authority for grants for nonfederal costs of small watershed projects.

Referred to **Special Committee on Ways and Means.**

H. J. R. 1253, a joint resolution honoring the life and memory of Dick O'Neal, a former member of the North Carolina General Assembly.

Referred to **Rules and Operation of the Senate Committee.**

H. B. 1277, a bill to amend Article 22 of Chapter 14 of the General Statutes by adding G. S. 14-159.1 making it unlawful to alter, tamper with or bypass electric, gas or water meters; providing a presumption of intent and evidence thereof; providing penalties for violations; providing liability for damages in a civil action; providing an exemption; and providing an effective date.

Referred to **Special Committee on Ways and Means.**

H. B. 1358, a bill to amend G. S. 66-58 to provide that vocational educational nursery classes may sell bedding plants grown as a part of the programs.

Referred to **Local Government and Regional Affairs Committee.**

H. J. R. 1368, a joint resolution urging the Federal Food and Drug Administration to allow certain specially trained medical technicians to carry emergency insect sting kits and to administer epinephrine.

Referred to **Rules and Operation of the Senate Committee.**

H. B. 1388, a bill to amend Chapter 185, Private Laws of 1929 relating to the tax collector and treasurer of the Town of Vanceboro.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 1389, a bill to control noise pollution from speedboats with engines capable of producing in excess of 4000 RPM's.

Referred to **Natural and Economic Resources Committee.**

H. B. 1479, a bill to require individuals engaged in commercial fishing operations in a vessel owned by another to be eligible for commercial fishing licenses in their own right.

Referred to **Finance Committee.**

H. B. 1496, a bill to amend Article 17 of Chapter 106 of the General Statutes to provide aggregate State service credit for agriculture, poultry, fruit, vegetable, and grain graders.

Referred to **Appropriations Committee.**

H. B. 1513, a bill to increase the size of the Carteret County Board of Alcoholic Control from three members to five members.

On motion of Senator Stallings, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

SPECIAL ORDER NO. 1

S. B. 539

The hour having arrived for the consideration of Special Order No. 1, the President of the Senate lays before the Senate Special Order No. 1, it being S. B. 539, Committee Substitute for S. B. 539, a bill to provide for the civil abatement of nuisances including obscene matter.

Senator Lake offers Amendment No. 1 which is adopted.

Senator Crawford offers Amendment No. 2 which fails of adoption.

Senator Lake calls the previous question, duly seconded. The call is sustained.

The Committee Substitute bill, as amended, passes its second reading.

Senator Vickery objects to the third reading.

Senator Lake moves that the rules be suspended to the end that the Committee Substitute bill be considered upon third reading, which motion prevails.

The bill passes its third reading and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 2, a bill to provide that the primary election shall be held in May and to make appropriate changes in the election laws, for concurrence in the House amendments.

Senator Henley moves that the Senate do not concur in the House amendments and that the President appoint conferees.

Senator Alford makes a substitute motion that the bill and pending House amendments be placed on the Calendar for Monday, June 20, which motion prevails.

S. B. 150, Committee Substitute for S. B. 150, a bill to repeal Articles 13, 13A, 13B and 25 of General Statutes Chapter 58 relating to the Fire Insurance Rating Bureau, fire and casualty insurance rate regulations, and regulation of automobile liability insurance rates; to provide a new method of rate regulation; and to amend Chapters 58 and 97 to consolidate the functions of the Fire Insurance Rating Bureau, the Compensation Rating and Inspection Bureau, and the Automobile Rate Administration Office; and to assure the proper operation of the North Carolina Reinsurance Facility on a sustaining but nonprofit basis.

On motion of Senator Totherow, the Committee Substitute bill is recommitted to the **Insurance Committee.**

S. B. 299, a bill to require disclosure detail regarding proceeds from loans used by candidates for political office and political committees.

On motion of Senator McDuffie, duly seconded, the bill is postponed indefinitely.

S. B. 589, Committee Substitute for S. B. 589, a bill to amend Article 13, Chapter 130, North Carolina General Statutes, relating to water and sewer sanitation.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 705, Committee Substitute for S. B. 705, a bill to revise G. S. 143-128 concerning separate specifications for branches of work in the construction of public buildings.

On motion of Senator Barnes, duly seconded, the Committee Substitute bill is postponed indefinitely.

S. B. 706, Committee Substitute for S. B. 706, a bill to authorize changes in public building construction after initial design and to reduce the obligation of sureties on bid bonds.

On motion of Senator Barnes, duly seconded, the Committee Substitute bill is postponed indefinitely.

S. B. 709, Committee Substitute for S. B. 709, a bill to amend G. S. 66-58 relating to the sale of merchandise by State governmental units.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 710, Committee Substitute for S. B. 710, a bill to amend G. S. 116-143 to provide free tuition for full-time UNC faculty members.

On motion of Senator Wynne, duly seconded, the Committee Substitute bill is postponed indefinitely.

S. B. 719, a bill to reorganize the Savings and Loan Division of the Department of Commerce and the Savings and Loan Commission and to provide for appointment of the administrator by the Secretary of Commerce.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 728, Committee Substitute for S. B. 728, a bill to amend the solicitation of Charitable Funds Act.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 746, Committee Substitute for S. B. 746, a bill to provide limitations on actions for damages for personal injury, death or damage to property resulting from the use of products.

Senator Britt offers Amendment No. 1 which is adopted.

Senator Barnes offers Amendment No. 2 which is adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 774, a bill to make the representation or depiction of minors under the age of 16 in the context of sexual activity a felony.

On motion of Senator Allsbrook, the bill is recommitted to the **Judiciary I Committee.**

June 17, 1977

S. B. 790, a bill to require county boards of elections to meet and pass upon all applications for registration.

On motion of Senator McDuffie, duly seconded, the bill is postponed indefinitely.

S. B. 800, a bill to amend G. S. 143-215.108(b) so as to modify environmental permit procedures, as amended, upon third reading.

Senator Smith of Guilford offers Amendment No. 2 which fails of adoption.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the House of Representatives.

S. B. 802, a bill to amend G. S. 143-215.3(a)(1) to require an economic impact statement on environmental regulations, upon third reading.

The bill passes its third reading and is ordered sent to the House of Representatives.

S. B. 804, a bill to amend G. S. 143-215.4(d)(6) and G. S. 143-215.15(f)(7) to change the burden of proof for permit denials and penalty assessments.

The bill passes its third reading and is ordered sent to the House of Representatives.

S. B. 808, a bill to add the president of the student government or the chairman of the executive board of the student body of each community college, technical institute, and industrial education center established pursuant to G. S. 115-A to the board of trustees of said institutions as **ex officio** voting members.

On motion of Senator Renfrow, consideration of the bill is postponed until Monday, June 20.

S. B. 834, a bill to amend Article VI, Section 9(1) of the North Carolina Constitution to permit dual office holding as authorized by the General Assembly, upon second reading.

The bill passes its second reading by roll-call vote, ayes 37, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Soles, Speed, Stallings, Swain, Totherow, Walker, White, Winters, and Wynne — 37.

The bill passes its third reading by roll-call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Marvin, Mathis, McDuffie, Palmer, Popkin, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Walker, Webster, White, Winters, and Wynne — 38.

Having received a three-fifths majority vote, the bill is ordered sent to the House of Representatives.

S. B. 835, a bill to amend Article 8, Chapter 90 of the General Statutes relating to chiropractors to grant authority for the increase of fees.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 843, a bill to amend "The North Carolina Metropolitan Sewerage Districts Act", G. S. 162A-66 and G. S. 162A-68 to provide that certain petitions thereunder must be signed by qualified voters rather than freeholders, upon second reading.

The bill passes its second reading by roll-call vote, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Marvin, Mathis, McDuffie, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Walker, Webster, White, Winters, and Wynne — 36.

The bill remains on the Calendar upon third reading.

S. J. R. 849, Committee Substitute for S. J. R. 849, a joint resolution directing the Legislative Services Commission to study the necessity and efficiency of retaining regional offices in the Department of Human Resources.

On motion of Senator Royall, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Tuesday, June 21.

S. B. 855, a bill to revise and consolidate the Charter of the Town of Princeville and to repeal prior local acts, upon third reading.

The bill passes its third reading by roll-call vote, ayes 28, noes 0, as follows:

Those voting in the affirmative are: Senators Ballenger, Barnes, Childers, Combs, Davis, Garrison, Gray, Hardison, Harris, Henley, Jordan, Kincaid, Lake, Palmer, Popkin, Rauch, Renfrow, Royall, Sharpe, Soles, Speed, Stallings, Swain, Totherow, Vickery, Walker, White, and Winters — 28.

The bill is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 869, a bill to amend Chapter 159B of the General Statutes to implement the provisions of Article V, Section 10 of the North Carolina Constitution.

On motion of Senator Webster, consideration of the bill is postponed until Monday, June 20.

S. B. 872, a bill to amend Chapter 13 of the General Statutes relating to restoration of rights of federal prisoners.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 873, a bill to amend G. S. 143-215.1(c)(1) so as to modify environmental permit procedures.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

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S. B. 877, a bill to amend Chapter 6, Private Laws of North Carolina 1840-1841, as amended, pertaining to the construction, operation and financing of hospital facilities by trustees of the Rex Hospital, Raleigh, North Carolina.

On motion of Senator Wynne, consideration of the bill is postponed until Tuesday, June 21.

S. J. R. 879, a joint resolution establishing a Special Interim Joint Committee to study the Rules of the General Assembly.

The joint resolution passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 883, a bill to assign an agent of the State Bureau of Investigation to the Lieutenant Governor to assist in his official duties.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 21, Committee Substitute for H. B. 21, a bill to amend G. S. 105-277.1(a)(2) to increase annual income allowable under the Homestead Tax Exemption, as amended, upon second reading.

The Committee Substitute bill, as amended, passes its second reading by roll-call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Soles, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, White, Winters, and Wynne — 38.

The Committee Substitute bill, as amended, remains on the Calendar upon third reading.

H. B. 100, Committee Substitute for H. B. 100, a bill to amend the Constitution of North Carolina to insure the continuation of the policy of a balanced budget, as amended, upon second reading.

On motion of Senator Allsbrook, Committee Amendments No. 3, No. 4, and No. 5 are adopted, and are held to be material, constituting the first reading of the bill. The Committee Substitute bill, as amended, remains on the Calendar upon second reading.

H. B. 666, a bill to require disclosure detail regarding proceeds from loans used by candidates for political office and political committees, upon third reading.

Senator Rauch offers Amendment No. 1 which is adopted.

The bill, as amended, passes its third reading and is ordered, without objection, sent to the House of Representatives for concurrence in the Senate amendment by special messenger.

H. B. 727, a bill to amend the Workmen's Compensation Act with respect to benefits for permanent and total disability, upon second reading.

The bill passes its second reading by roll-call vote, ayes 28, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Ballenger, Barnes, Britt, Childers, Garrison, Gray, Harris, Henley, Hill, Jordan, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Totherow, Walker, Webster, and Wynne — 28.

The bill remains on the Calendar upon third reading.

H. B. 826, a bill to amend the biennial licensure fee of the Board of Examiners for Nursing Home Administrators and to authorize examination and training program fees, as amended, upon third reading.

The bill, as amended, passes its third reading by roll-call vote, ayes 35, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, McDuffie, Palmer, Rauch, Renfrow, Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Walker, White, Winters, and Wynne — 35.

The bill, as amended, is ordered sent to the House of Representatives for concurrence in the Senate amendments.

H. B. 873, Committee Substitute for **H. B. 873**, a bill to make theater employees subject to the North Carolina Minimum Wage Act and to temporarily set a $2.00 minimum for seasonal recreational employees, upon second reading.

On motion of Senator Childers, Committee Amendment No. 1 is adopted.

The Committee Substitute bill, as amended, passes its second reading by roll-call vote, ayes 26, noes 10, as follows:

Those voting in the affirmative are: Senators Alford, Ballenger, Barnes, Britt, Childers, Daniels, Garrison, Hardison, Harrington, Harris, Henley, Hill, Jordan, Marvin, Mathis, McDuffie, Rauch, Renfrow, Royall, Sharpe, Speed, Stallings, Vickery, Webster, Winters, and Wynne — 26.

Those voting in the negative are: Senators Allsbrook, Davis, Gray, Palmer, Popkin, Raynor, Smith of Guilford, Smith of New Hanover, Totherow, and White — 10.

The Committee Substitute bill remains on the Calendar upon third reading.

H. B. 874, a bill to redefine "tipped employee" and to require that certain conditions must be met in order for the employer to qualify for "tip credit".

On motion of Senator Childers, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 985, a bill to increase the membership of the Textbook Commission.

The bill passes its second reading.

On motion of Senator Royall, the bill is re-referred to the **Appropriations Committee.**

H. B. 1024, a bill providing for the accurate identification of records ordered to be expunged.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1050, Senate Committee Substitute for **H. B. 1050**, a bill to revive and improve certain provisions of Chapter 75 of the General Statutes to protect the citizens of North Carolina from unfair, unethical, deceptive and unscrupulous business practices.

On motion of Senator Britt, the Senate Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Tuesday, June 21.

H. B. 1070, a bill to authorize the issuance of three hundred million dollars of bonds of the State to provide funds for the construction of highways subject to a vote of the qualified voters of the State, upon third reading.

The bill passes its third reading by roll-call vote, ayes 42, noes 1, as follows:

Those voting in the affirmative are Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, White, Winters, and Wynne — 42.

Voting in the negative is: Senator Davis — 1.

The bill is ordered enrolled.

H. B. 1079, a bill to increase the annual license renewal fee for podiatrists from a fee not to exceed fifty dollars to a fee not to exceed one hundred fifty dollars, upon third reading.

The bill passes its third reading by roll-call vote, ayes 32, noes 1, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Lake, McDuffie, Palmer, Popkin, Rauch, Renfrow, Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Swain, Totherow, Walker, White, Winters, and Wynne — 32.

Voting in the negative is: Senator Speed — 1.

The bill is ordered enrolled.

H. B. 1104, Committee Substitute for **H. B. 1104**, a bill to make technical revisions in Chapter 105 of the General Statutes, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guliford, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, White, Winters, and Wynne — 38.

The Committee Substitute bill remains on the Calendar upon third reading.

H. B. 1148, a bill to amend G. S. 113-95, relating to hunting and fishing license fees, so as to provide for a reduced fee for totally disabled residents of this State, as amended, upon third reading.

The bill, as amended, passes its third reading by roll-call vote, ayes 37, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Chliders, Combs, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Marvin, McDuffie, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Walker, White, Winters, and Wynne—37.

The bill, as amended, is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1151, a bill to promote the acquisition by the State of buildings and space in buildings having historic, architectural or cultural significance.

On motion of Senator Royall, the bill is re-referred to the **Special Committee on Ways and Means.**

H. B. 1153, a bill amending Chapter 159C of the General Statutes which authorizes counties to create authorities to issue bonds to finance industrial and pollution control projects, to revise the provisions thereof relating to eligibility requirements for appointment to an authority, to the average manufacturing wage requirement for industrial projects, to the taxation of projects and tax exemption of interest on bonds, to contracts for the acquisition and construction of projects, and to conflicts of interest, to add provisions permitting the subordination of bonds to other security interests and providing that the Local Government Budget and Fiscal Control Act shall not apply to authorities, and to repeal provisions requiring an annual audit, upon second reading.

On motion of Senator Rauch, consideration of the bill is postponed until Monday, June 20.

H. B. 1179, Committee Substitute for **H. B. 1179**, a bill to authorize the issuance of two hundred thirty-million dollars in bonds of the State to provide funds for environmental improvement through grants to units of government for construction and improvement of wastewater treatment works, wastewater collection sytems and water supply systems, upon second reading.

Senator Rauch offers Amendment No. 1 which is adopted.

The Committee Substitute bill, as amended, passes its second reading by roll-call vote, ayes 33, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lake, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Speed, Stallings, Swain, Totherow, Walker, Webster, and White — 33.

The Committee Substitute bill, as amended, remains on the Calendar upon third reading.

H. B. 1195, Committee Substitute for **H. B. 1195**, a bill to amend G. S. 143-132 to permit award of public contracts for construction and repair upon receipt of fewer than three bids when doing so best serves the public interest.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 1202, a bill to amend Chapter 25 of the General Statutes specifically giving the Department of Cultural Resources responsibility for planning and coordinating cooperative library development.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1246, a bill to amend Chapter 115, Article 2A of the General Statutes pertaining to the Council on Educational Services for Exceptional Children.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1257, Committee Substitute for **H. B. 1257**, a bill to amend G. S. 105-360(a)(1) to provide for a grace period for payment of county and municipal taxes, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 35, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Lake, Marvin, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Walker, White, Winters, and Wynne—35.

The Committee Substitute bill is ordered enrolled.

H. B. 1265, a bill to amend the Community Development Law to authorize cities and counties to acquire property for the purpose of redevelopment.

On motion of Senator Allsbrook, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1266, Committee Substitute for **H. B. 1266**, a bill to provide that all sessions of Superior and District Court of Brunswick County shall be held in the new county seat of Brunswick County, as amended, upon third reading.

The Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 27, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Ballenger, Barnes, Childers, Combs, Daniels, Garrison, Gray, Harris, Henley, Hill, Jordan, Lake, Marvin, McDuffie, Palmer, Popkin, Rauch, Renfrow, Royall, Sharpe, Soles, Speed, Stallings, Swain, White, and Winters — 27.

Senator Smith of New Hanover moves that the vote by which the Committee Substitute bill, as amended, passed its third reading be reconsidered, which motion prevails.

The Committee Substitute bill, as amended, is placed on the Calendar for immediate consideration, upon third reading.

The Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 31, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Daniels, Garrison, Gray, Hardison, Harrington, Henley, Jordan, Lake, McDuffie, Palmer, Rauch, Raynor, Royall, Sharpe, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Walker, White, Winters, and Wynne — 31.

The Committee Substitute bill, as amended, is ordered, without objection, sent to the House of Representatives for concurrence in the Senate amendment, by special messenger.

H. B. 1273, Committee Substitute for **H. B. 1273**, a bill to require notice to be furnished to savings and loan members of the annual meeting of the association.

On motion of Senator Hill, the Committee Substitute bill is re-referred to the **Special Committee on Ways and Means.**

H. B. 1288, a bill to amend Chapter 671 of the 1975 Session Laws to provide for reconsideration of assessments by the City Council of the City of Durham, upon third reading.

The bill passes its third reading by roll-call vote, ayes 30, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Ballenger, Barnes, Childers, Combs, Crawford, Daniels, Davis, Gray, Harris, Henley, Hill, Jordan, Kincaid, Lake, Marvin, McDuffie, Palmer, Popkin, Rauch, Renfrow, Sharpe, Smith of Guilford, Soles, Speed, Stallings, Totherow, Walker, White, and Winters — 30.

The bill is ordered enrolled.

H. B. 1311, a bill to provide for the organization of the Gaston County Board of Education, the nomination and election of its members, to define in part their powers and authority and to repeal all public, public-local and private laws in conflict with this act, upon third reading.

The bill passes its third reading by roll-call vote, ayes 32, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Combs, Crawford, Daniels, Davis, Gray, Hardison, Harris, Henley, Hill, Jordan, Lake, Marvin, McDuffie, Palmer, Popkin, Rauch, Renfrow, Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Stallings, Swain, Webster, White, and Winters — 32.

The bill is ordered enrolled.

H. B. 1317, a bill to amend G. S. 160A-497 relating to municipal programs for the elderly.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1356, a bill to amend the provisions for final disposition or transportation of deceased migrant farm workers.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1371, a bill to amend the North Carolina General Statutes relating to body execution.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1410, a bill to make a technical amendment to G. S. 25A-36.

The bill passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. J. R. 331, a joint resolution congratulating and commending the Wake Forest-Rolesville High School boys' and girls' basketball teams for their excellent performances during the 1976-77 basketball season.

S. B. 522, an act to amend the North Carolina Securities Act, Chapter 78A of the General Statutes, with respect to G. S. 78A-17(9), G. S. 78A-46(d) and G. S. 78A-48(a) thereof.

S. B. 657, Committee Substitute for **S. B. 657,** an act to authorize the qualified voters of the Town of Highlands, Macon County, to determine whether alcoholic beverage control stores shall be operated in the Town of Highlands.

S. B. 816, an act to create the Wanchese Harbor Citizens Advisory Council, and to establish the duties and responsibilities of the Council.

H. B. 83, Senate Committee Substitute for **H. B. 83,** an act to clarify the provisions of G. S. 66-58(c)(9) relating to the operation by the public schools of school cafeterias.

H. B. 542, Committee Substitute for **H. B. 542,** an act to regulate the setting of steel traps in Bladen and Columbus Counties.

H. B. 680, an act to amend the General Statutes to provide for freedom of choice by patients relating to psychological services.

H. B. 817, Committee Substitute for **H. B. 817,** an act to abolish the Gastonia Industrial Diversification Tax and Commission.

H. B. 889, Committee Substitute for **H. B. 889,** an act relating to the method of election and composition of Orange County Board of Education.

H. B. 1032, an act relating to penalty for welfare fraud.

H. B. 1071, an act to amend G. S. 116-143 to provide free tuition for full-time UNC faculty members.

H. B. 1158, Committee Substitute for **H. B. 1158,** a bill to expressly authorize a local ABC board to enter into a contract with a local law enforcement agency.

H. B. 1167, an act to transfer the historic Seaboard Coastline building to the control of the Department of Cultural Resources to be used as a railroad museum and for other purposes.

H. B. 1278, an act to correct an error in the Avery County Registry.

H. B. 1353, a bill to amend Chapter 308, Session Laws of 1977 to correct errors relating to the election of members of the Goldsboro City Board of Education.

On motion of Senator Henley, the Senate adjourns to meet Monday at 7:00 P.M.

ONE HUNDRED FOURTEENTH DAY

SENATE CHAMBER,
Monday, June 20, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"We thank Thee, O Lord, for the promise that no temptation will ever come upon us above that which we are able to bear; but help us to remember, too, that if we walk with Thee, no *burden* will ever rest upon our shoulders which is too heavy for us to carry, since Thou art under the load with us. In this conviction may each day's work be done. And to Thee shall be the praise. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of Friday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

Leaves of absence granted previously to Senators Scott, Hill, and Smith of New Hanover are noted.

The President recognizes the following pages serving in the Senate this week: Frances Ballard, Wilmington; Sherry Beaver, Troutman; Chuck Blake, Greenville; Cindy Bowling, Raleigh; Barry Bowling, Raleigh; Jane Bullock, Lumberton; Tommy Burroughs, Raleigh; Mike Caldwell, Raleigh; Ann Crumpler, Goldsboro; Bert Davis, Winston-Salem; Krisan Eason, Raleigh; Jim Fine, Chapel Hill; Cecilia Hargett, Raleigh; Maurice Hill, Louisburg; Kim Humphrey, Fayetteville; Margaret Hundley, Cary; Amy Johnston, Raleigh; Jackie Jones, Wake Forest; Kathy Lamm, Wilson; Sarah Lane, Jacksonville; Ned McLeod, Fayetteville; Donna Moore, Mooresville; Elizabeth Musselwhite, Raleigh; Lisa O'Berry, Jacksonville; Randall Page, Albert-

son; Sarah Pennell, Lenoir; Kandie Robbins, Raleigh; Robin Smith, Cary; Steve Randall, Wilmington; Kim Stutts, Cary; Sheila Todd, Raleigh; Neil Ward, Raleigh; and Michael Whisenhunt, Goldsboro.

H. B. 1073, a bill to amend Chapter 18A of the General Statutes to permit the sale of wine cocktails in Grade A Restaurants with on-premise wine permits.

On motion of Senator Soles, the rules are suspended, and the bill is taken from the **Local Government and Regional Affairs Committee** and is placed on the Calendar for Tuesday, June 21.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Harris for the **Human Resources Committee:**

S. B. 541, a bill to delete the continuing education requirement for renewal of a podiatry license, without prejudice.

On motion of Senator Harris, the rules are suspended, and the bill is placed before the Senate for immediate consideration and on his further motion is postponed indefinitely.

S. B. 711, a bill to abolish the office of coroner in North Carolina, without prejudice.

On motion of Senator Harris, the rules are suspended, and the bill is placed before the Senate for immediate consideration and on his further motion is postponed indefinitely.

S. B. 716, a bill to permit counties to recover indirect cost on health and mental health programs to the full extent permitted by law, with a favorable report, as amended.

S. B. 731, a bill to amend G. S. 108-45, relating to the confidentiality of records of the Department of Human Resources and county social service departments, with a favorable report, as amended.

On motion of Senator Harris, the rules are suspended, and the bill is placed before the Senate for immediate consideration and on his further motion Committee Amendment No. 1 is adopted.

On motion of Senator Harris, the bill, as amended, is re-referred to the **Judiciary II Committee.**

S. B. 864, a bill to require owners and operators of business establishments to provide on-site compactors, without prejudice.

On motion of Senator Harris, the rules are suspended, and the bill is placed before the Senate for immediate consideration and on his further motion is postponed indefinitely.

H. B. 550, a bill to amend G. S. 143B-182 and G. S. 143B-183 to modify the State Mental Health Council for the purpose of meeting requirements

set by federal authorities as a condition to receiving federal aid, with a favorable report, as amended.

H. B. 644, Committee Substitute for **H. B. 644**, a bill to amend Article 18A of Chapter 90 of the General Statutes controlling licensing of practicing psychologists, with a favorable report.

H. B. 1487, a bill to amend Part 4 of Article 3 of Chapter 143B of the General Statutes to reorganize the Commission for Mental Health Services to include adequate representation for mentally retarded citizens, with a favorable report.

By Senator Totherow for the **Insurance Committee:**

S. B. 687, a bill to amend G. S. 62-268 to provide that motor carriers may satisfy the financial responsibility requirements of the Utilities Commission through one or more insurers, with a favorable report.

S. B. 726, a bill to amend Chapter 57 and Chapter 58 of the General Statutes of North Carolina relating to requiring that notice of cancellation be given individual insureds under group and certain other policies, with an unfavorable report.

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 454, a bill to amend Article 4 of Chapter 122 of the General Statutes to protect the privacy of minors voluntarily admitted to a treatment facility by making the court record of admission confidential, with a favorable report.

On motion of Senator Allsbrook, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 601, a bill to authorize withdrawal of erroneous bids on public construction contracts, with a favorable report.

On motion of Senator Allsbrook, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

H. B. 470, Committee Substitute for **H. B. 470**, a bill to amend G. S. 18A-35 to allow local government units to regulate the public consumption of malt beverages and wine, with a favorable report.

H. B. 500, Committee Substitute for **H. B. 500**, a bill to authorize the Board of Alcoholic Control to refuse to issue retail malt beverage and wine permits, with a favorable report.

H. B. 708, Committee Substitute for **H. B. 708**, a bill to amend G. S. 41-2.1, right of survivorship in bank deposits created by written agreement, so as to make such deposits subject to additional claims, with a favorable report.

H. B. 719, Committee Substitute for **H. B. 719**, a bill to amend Article 4 of Chapter 122 of the General Statutes to protect the privacy of minors voluntarily admitted to a treatment facility by making the court record of admission confidential, with a favorable report, as amended.

H. B. 976, a bill to amend G. S. 1A-1, Rule 55, to authorize entry of default judgement on motion, with a favorable report.

H. B. 1042, Committee Substitute for **H. B. 1042**, a bill to amend Chapter 17B of the General Statutes by amending G. S. 17B-1 to include additional definitions and by adding a new section to be designated G. S. 17B-3.1 to grant to the North Carolina Criminal Justice Education and Training System Council the authority to regulate traffic upon the grounds of the North Carolina Justice Education and Training Center, with an unfavorable report.

H. B. 1116, a bill to amend North Carolina G. S. 76-14 to increase pilotage charges for vessels navigating the Cape Fear River and bar, with a favorable report.

By Senator Speed for the **Natural and Economic Resources Committee**:

H. B. 1389, a bill to control noise pollution from speedboats with engines capable of producing in excess of 4000 RPM's, with a favorable report.

By Senator Whichard for the **State Government Committee**:

S. B. 512, a bill to transfer North Carolina Housing Finance Agency from the Department of the Treasurer to the Department of Natural and Economic Resources and to make necessary conforming and technical changes in the General Statutes of North Carolina, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Whichard, the rules are suspended, and the bill is placed on today's Calendar.

H. B. 884, Committee Substitute for **H. B. 884**, a bill to transfer North Carolina Housing Finance Agency from the Department of the Treasurer to the Department of Natural and Economic Resources and to make necessary conforming and technical changes in the General Statutes of North Carolina, with a favorable report.

H. B. 974, Committee Substitute for **H. B. 974**, a bill to amend Section 135-4 of the General Statutes relating to creditable service in the retirement system, with a favorable report, as amended.

By Senator Harrington for the **Transportation Committee**:

H. B. 1223, a bill to authorize and regulate movement of structures, historical buildings, houses or other extraordinary objects on State highway system of roads, with a favorable report, as amended.

By Senator Royall for the **Ways and Means Committee:**

S. B. 16, a bill to make appropriations for current operations of State departments, institutions, and agencies, and for other purposes, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

S. B. 17, a bill to make appropriations to provide capital improvements for State departments, institutions, and agencies, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Hardison:

S. B. 898, a bill to transfer funds from the Highway Fund to the General Fund for the Gasoline and Oil Inspection Subprogram of the Department of Agriculture.

Referred to **Appropriations Committee.**

By Senator Smith of Guilford:

S. B. 899, a bill to provide that the membership of each occupational licensing board include at least two persons not engaged in the occupation being licensed.

Referred to **Judiciary II Committee.**

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. B. 1498, a bill to amend Chapter 159B of the General Statutes to implement the provisions of Article V, Section 10 of the North Carolina Constitution.

On motion of Senator Webster, the rules are suspended, and the bill is placed on the Calendar for Tuesday, June 21.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 730, a bill to extend some or all of the provisions of the Local Government Budget and Fiscal Control Act to nonprofit corporations receiving moneys from counties and cities, for concurrence in the House amendment which is placed on the Calendar for Tuesday, June 21.

H. B. 149, a bill to amend G. S. 163-211 to increase the per diem and mileage compensation provided presidential electors meeting in the City of Raleigh.

Referred to **Election Laws Committee.**

H. B. 325, a bill to amend G. S. 14-162 to delete any reference to removal of personal property from any boat or landing and to increase the penalty for the trespass.

Referred to **Judiciary II Committee.**

H. B. 463, a bill to grant the City of Greenville alternative condemnation procedures.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 658, Committee Substitute for **H. B. 658,** a bill to repeal Articles 13, 13A, 13B, and 25 of General Statutes Chapter 58 relating to the Fire Insurance Rating Bureau, fire and casualty insurance rate regulations, and regulation of automobile liability insurance rates to provide a new method of rate regulation; and to amend Chapters 58 and 97 to consolidate the functions of the Fire Insurance Rating Bureau, the Compensation Rating and Inspection Bureau, and the Automobile Rate Administrative Office; and to assure the proper operation of the North Carolina Reinsurance Facility on a sustaining but nonprofit basis.

Referred to **Insurance Committee.**

H. B. 718, Committee Substitute for **H. B. 718,** a bill to insure the speedy trial of persons charged with criminal offenses.

Referred to **Judiciary II Committee.**

H. B. 808, a bill to amend G. S. 148-45(e) to provide that a sentence for escape shall commence at termination of any other sentences.

Referred to **Judiciary II Committee.**

H. B. 887, Committee Substitute for **H. B. 887,** a bill to require approval by a referendum before a municipality in Dare County may annex pursuant to Part 2 and Part 3 of Article 4A of Chapter 160A of the General Statutes.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 1015, Committee Substitute for **H. B. 1015,** a bill to create a Nursing Home and Home for the Aged and Infirm Patients' Bill of Rights.

Referred to **Human Resources Committee.**

H. B. 1254, a bill to amend the fees for registration of land titles.

Referred to **Finance Committee.**

H. B. 1289, Committee Substitute for **H. B. 1289,** a bill to restructure the Wildlife Resources Commission and to make other necessary changes.

Referred to **Special Committee on Ways and Means.**

June 20, 1977

H. B. 1297, a bill to add a new section G. S. 1-42.4 to extinguish ancient mineral claims in Ashe County and to require that oil, gas and mineral interests within Ashe County be recorded and listed for taxation.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 1395, a bill to amend the definition of "Public Utility" in G. S. 62-3(23) to exclude a residential landlord serving only his tenants.

Referred to **Public Utilities and Energy Committee.**

H. B. 1455, a bill to amend the Law Enforcement Officers', Firemen's, Rescue Squad Workers', and Civil Air Patrol Members' Death Benefit Act

Referred to **State Government Committee.**

H. B. 1473, a bill to amend Chapter 869, Session Laws of 1975 to clarify the exercise of the power of eminent domain by the City of Fayetteville.

Referred to **Local Government and Regional Affairs Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

SPECIAL ORDER NO. 1

H. B. 445, Committee Substitute for H. B. 445

The hour having arrived for the consideration of Special Order No. 1, the President of the Senate lays before the Senate Special Order No. 1, it being **H. B. 445, Committee Substitute for H. B. 445**, a bill to provide for the fixing of utility rates in North Carolina based upon the reasonable original cost of the property of the public utility used and useful in providing service to the public, upon second reading.

On motion of Senator Palmer, Committee Amendment No. 1 is adopted.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 38, noes 1, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Rauch, Raynor, Renfrow, Royall, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, Winters, and Wynne — 38.

Voting in the negative is: Senator Lake — 1.

Without objection, Senator Davis is excused from voting for the stated reason: "Possible conflict of interest."

The Committee Substitute bill remains on the Calendar upon third reading.

S. B. 2, a bill to provide that the primary election shall be held in May and to make appropriate changes in the election laws, for concurrence in the House amendments.

On motion of Senator Alford, the Senate concurs in the House amendments and the bill is ordered enrolled.

June 20, 1977

S. B. 16, Committee Substitute for **S. B. 16,** a bill to make appropriations for current operations of State departments, institutions, and agencies, and for other purposes.

On motion of Senator Royall, the Committee Substitute bill is adopted, and on his further motion the rules are suspended, and the Committee Substitute bill remains on the Calendar for further consideration.

The Committee Substitute bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 17, Committee Substitute for **S. B. 17,** a bill to make appropriations to provide capital improvements for State departments, institutions, and agencies.

On motion of Senator Royall, the Committee Substitute bill is adopted, and on his further motion the rules are suspended and the Committee Substitute bill remains on the Calendar for further consideration.

The Committee Substitute bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 78, Committee Substitute for **S. B. 78,** a bill to amend G. S. 115.25 relative to the eligibility to school employees and district committee members to serve on boards of education, for concurrence in the House amendment.

On motion of Senator Stallings, the Senate concurs in the House amendment and the Committee Substitute bill is ordered enrolled.

S. B. 434, Committee Substitute for **S. B. 434,** a bill to provide for mandatory periodic judicial review in all cases where the custody of a child is removed from a parent.

Senator Mathis offers Amendment No. 1 which is adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 512, Committee Substitute for **S. B. 512,** a bill to transfer North Carolina Housing Finance Agency from the Department of the Treasurer to the Department of Natural and Economic Resources and to make necessary conforming and technical changes in the General Statutes of North Carolina.

On motion of Senator Whichard, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Wednesday, June 22.

S. B. 722, a bill to amend G. S. 15A-247, issuance of order.

Senator Mathis moves that the Senate do not concur in the House amendment which motion prevails.

Senator Mathis moves that the President appoint conferees, which motion prevails. The President appoints Senators Mathis, Barnes, and Swain as conferees on the part of the Senate and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

S. B. 725, a bill to create in the Department of Administration an Advocacy Council for the Handicapped.

On motion of Senator Walker, Committee Amendment No. 1 is adopted.

Senator Walker offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 756, a bill to rewrite G. S. 20-81 concerning the issuance of official license plates to State officials and to correct uncertainties resulting from the enactment of Chapter 865 and Chapter 432 of the 1975 Session Laws.

On motion of Senator Harrington, the Senate concurs in House Amendment No. 1 and fails to concur in House Amendment No. 2.

Senator Harrington moves that the President appoint conferees, which motion prevails. The President appoints Senators Harrington, Allsbrook, and Royall as conferees on the part of the Senate and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

S. B. 765, Committee Substitute for S. B. 765, a bill establishing the procedure for retaining an individual's driver's license in order to insure his appearance in court, in the Twelfth Judicial District.

Senator Allsbrook moves that the Committee Substitute bill do lie upon the table which motion fails to prevail.

Senator Henley calls the previous question, duly seconded. The call is sustained.

The Committee Substitute bill passes its second reading.

On objection of Senator Allsbrook to its third reading the Committee Substitute bill remains on the Calendar.

S. B. 767, a bill to amend the North Carolina Credit Union Laws to permit the qualification of foreign State-chartered credit unions to do business in North Carolina.

On motion of Senator Totherow, the bill is re-referred to the **Banking Committee.**

S. B. 789, a bill to provide for one representative from each congressional district on the Veterans' Affairs Commission and to make other conforming changes.

Senator Palmer moves that the vote by which the bill, as amended, passed its third reading be reconsidered, which motion prevails.

The bill, as amended, is placed on the Calendar for immediate consideration upon third reading.

On motion of Senator Palmer, duly seconded, the bill, as amended, is postponed indefinitely.

S. B. 808, a bill to add the president of the student government or the chairman of the executive board of the student body of each community college, technical institute, and industrial education center established pursuant to G. S. 115-A to the board of trustees of said institutions as **ex officio** voting members.

On motion of Senator Renfrow, consideration of the bill is postponed until Tuesday, June 21.

S. B. 817, a bill to amend G. S. 160A-360 to provide for use of current population of municipalities in determining planning jurisdiction.

On motion of Senator Walker, consideration of the bill is postponed until Tuesday, June 21.

S. B. 843, a bill to amend "The North Carolina Metropolitan Sewerage Districts Act", G. S. 162A-66 and G. S. 162A-68 to provide that certain petitions thereunder must be signed by qualified voters rather than freeholders, upon third reading.

The bill passes its third reading by roll-call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Gray, Hardison, Harrington, Harris, Henley, Jordan, Kincaid, Lake, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, White, Winters, and Wynne — 41.

The bill is ordered sent to the House of Representatives.

S. B. 856, a bill to provide for the appointment of members to the Craven County Board of Alcoholic Control by the Craven County Board of County Commissioners, for concurrence in the House amendment.

On motion of Senator Stallings, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 869, a bill to amend Chapter 159B of the General Statutes to implement the provisions of Article V, Section 10 of the North Carolina Constitution.

On motion of Senator Webster, consideration of the bill is postponed until Tuesday, June 21.

H. B. 21, Committee Substitute for H. B. 21, a bill to amend G. S. 105-277.1(a)(2) to increase annual income allowable under the Homestead Tax Exemption, as amended, upon third reading.

The Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Gray, Hardison, Harrington, Harris, Henley, Jordan, Kincaid, Lake, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, White, Winters, and Wynne — 41.

The Committee Substitute bill, as amended, is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 100, Committee Substitute for H. B. 100, a bill to amend the Constitution of North Carolina to insure the continuation of the policy of a balanced budget, as amended, upon second reading.

The Committee Substitute bill, as amended, passes its second reading by roll-call vote, ayes 37, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Gray, Hardison, Harrington, Harris, Henley, Jordan, Kincaid, Lake, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Somers, Stallings, Swain, Totherow, Walker, Webster, White, Winters, and Wynne — 37.

The Committee Substitute bill, as amended, remains on the Calendar upon third reading.

H. B. 342, Committee Substitute for H. B. 342, a bill to amend Chapter 18A of the General Statutes concerning the issuance of special occasion permits, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Combs, Daniels, Davis, Gray, Hardison, Harrington, Harris, Henley, Jordan, Lake, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, White, Winters, and Wynne — 36.

The Committee Substitute bill remains on the Calendar upon third reading.

H. B. 727, a bill to amend the Workmen's Compensation Act with respect of benefits for permanent and total disability, upon third reading.

The bill passes its third reading by roll-call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Chliders, Combs, Crawford, Daniels, Davis, Gray, Hardison, Harrington, Harris, Henley, Jordan, Kincaid, Lake, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, White, Winters, and Wynne — 41.

The bill is ordered enrolled.

H. B. 873, Committee Substitute for H. B. 873, a bill to make theater employees subject to the North Carolina Minimum Wage Act and to temporarily set a $2.00 minimum for seasonal recreational employees, as amended, upon third reading.

The Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Chliders, Combs, Crawford, Daniels, Davis, Gray, Hardison, Harrington, Harris, Henley, Jordan, Kincaid, Lake, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, White, Winters, and Wynne — 41.

The Committee Substitute bill, as amended, is ordered sent to the House of Representatives for concurrence in the Senate amendment.

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H. B. 919, a bill to amend Part 2, Article 3 of Chapter 108 and G. S. 143B-153(3)c. to provide that the Department of Human Resources shall inspect and license all child-caring institutions in North Carolina except those specifically exempt.

The bill passes its second reading.

On objection of Senator Combs to its third reading the bill remains on the Calendar.

H. B. 921, a bill to amend G. S. 108-46 to require the county from which an AFDC recipient moves to pay the amount of assistance to which the recipient is entitled for a period of one month following the move.

The bill passes its second and third readings and is ordered enrolled.

H. B. 922, a bill to amend G. S. 108-47 relating to public assistance checks made payable to decedents.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1063, a bill to amend G. S. 130-9(e) to provide that State inspections of nursing homes shall be given without notice and that the giving of prior notice of inspection shall be a misdemeanor.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1104, Committee Substitute for **H. B. 1104,** a bill to make technical revisions in Chapter 105 of the General Statutes, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Chliders, Combs, Crawford, Daniels, Davis, Gray, Hardison, Harrington, Harris, Henley, Jordan, Kincaid, Lake, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, White, Winters, and Wynne — 41.

The Committee Substitute bill is ordered enrolled.

H. B. 1153, a bill amending Chapter 159C of the General Statutes which authorizes counties to create authorities to issue bonds to finance industrial and pollution control projects, to revise the provisions thereof relating to eligibility requirements for appointment to an authority, to the average manufacturing wage requirement for industrial projects, to the taxation of projects and tax exemption of interest on bonds, to contracts for the acquisition and construction of projects, and to conflicts of interest, to add provisions permitting the subordination of bonds to other security interests and providing that the Local Government Budget and Fiscal Control Act shall not apply to authorities, and to repeal provisions requiring an annual audit, upon second reading.

On motion of Senator Lawing, Committee Amendment No. 1 is adopted.

On motion of Senator Lawing, consideration of the bill, as amended, is postponed until Tuesday, June 21.

H. B. 1169, a bill to prohibit a landlord, owner, or agent from refusing to rent or sell his premises to a visually handicapped person because he has a guide dog.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1179, Committee Substitute for H. B. 1179, a bill to authorize the issuance of two hundred thirty-million dollars in bonds of the State to provide funds for environmental improvement through grants to units of government for construction and improvement of wastewater treatment works, wastewater collection systems and water supply systems, as amended, upon third reading.

The Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Chliders, Combs, Crawford, Daniels, Davis, Gray, Hardison, Harrington, Harris, Henley, Jordan, Kincaid, Lake, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, White, Winters, and Wynne — 41.

The Committee Substitute bill, as amended, is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1241, Senate Committee Substitute for H. B. 1241, a bill to delete Dorothea Dix Hospital from the provisions of G. S. 129-42.1.

The Senate Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives for consideration of the Senate Committee Substitute bill.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 665, an act relating to weight tolerance for pickup trucks licensed for minimum weights.

S. B. 769, an act to exempt or defer the removal of certain directional signs, displays, and devices pursuant to Section 131 of Title 23 of the United States Code.

S. B. 780, an act to change the western boundary line of the Town of Alliance.

H. B. 212, Committee Substitute for H. B. 212, an act to permit stolen property to be restored to rightful owners in advance of trial.

H. B. 426, Committee Substitute for H. B. 426, an act to provide that restitution and reparation be incorporated as an integral part of the criminal justice system.

H. B. 551, an act to amend Article 22A of Chapter 163 of the General Statutes to require office holders to report certain funds as campaign contributions and expenditures.

H. B. 621, Committee Substitute for **H. B. 621,** an act to amend G. S. 14-269 to authorize law enforcement agencies to regulate possession of concealed weapons by law enforcement officers.

H. B. 666, an act to require disclosure detail regarding proceeds from loans used by candidates for political office and political committees.

H. B. 774, an act to regulate hunting in Burke and Caldwell and certain other Counties.

H. B. 1046, Committee Substitute for **H. B. 1046,** an act to authorize withdrawal of erroneous bids on public construction contracts.

H. B. 1051, an act to permit the collection in alcoholic beverage control stores of donations to the Alcoholism Research Fund.

H. B. 1056, Committee Substitute for **H. B. 1056,** an act to authorize changes in public building construction after initial design and to reduce the obligation of sureties on bid bonds.

H. B. 1057, Committee Substitute for **H. B. 1057,** an act to revise G. S. 143-128 concerning separate specifications for branches of work in the construction of public buildings.

H. B. 1079, an act to increase the annual license renewal fee for podiatrists from a fee not to exceed fifty dollars to a fee not to exceed one hundred fifty dollars.

H. B. 1096, Committee Substitute for **H. B. 1096,** an act to redefine the duties of the Veterans Affairs Commission.

H. B. 1144, an act to clarify the authority of the Secretary of Correction to place an inmate on work release.

H. B. 1145, an act to amend G. S. 148-60.3 to correct a technical error and to delete the seven day's notice requirement thereof.

H. B. 1166, an act to amend Article 1A of Chapter 90 and Article 8 of Chapter 110 to provide for emergency medical treatment of minors over parental objection.

H. B. 1168, an act to amend Chapter 163 of the General Statutes to change the title of executive secretary of County boards of elections to supervisor of elections.

H. B. 1215, an act to create a Youth Services Advisory Committee, to abolish the Commission of Youth Services and the Technical Advisory Committee, and to make conforming and technical corrections in the General Statutes.

H. B. 1229, an act to allow a local health director to confine an animal having rabies or suspected of having rabies if the owner refuses to do so.

H. B. 1255, an act amending the Milk Commission rules filing.

H. B. 1257, Committee Substitute for **H. B. 1257**, an act to amend G. S. 105-360(a)(1) to provide for a grace period for payment of county and municipal taxes.

H. B. 1258, an act to amend Article 3 of Chapter 135 of the General Statutes to provide a contributory medical and hospital benefit care plan for members and former members of the General Assembly, their spouses, and dependents to be administered by the Board of Trustees of the Retirement System.

H. B. 1288, an act to amend Chapter 671 of the 1975 Session Laws to provide for reconsideration of assessments by the City Council of the City of Durham.

H. B. 1305, an act to provide for one representative from each congressional district on the Veteran's Affairs Commission and to make other conforming changes.

H. B. 1311, an act to provide for the organization of the Gaston County Board of Education, the nomination and election of its members, to define in part their powers and authority and to repeal all public, public-local and private laws in conflict with this Act.

H. J. R. 1447, a joint resolution congratulating American Drew, Inc., of North Wilkesboro, a Sperry and Hutchinson Company, on its 50th Anniversary.

H. B. 1513, an act to increase the size of the Carteret County Board of Alcoholic Control from three members to five members.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:00 P.M.

ONE HUNDRED FIFTEENTH DAY

SENATE CHAMBER,
Tuesday, June 21, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we are thankful that we can live one day at a time, and are not expected to carry tomorrow's load today. So we pray for strength

and wisdom for this day and for this day's duties, knowing that as our days are, so shall our strength be. We come to Thee in the spirit of Him who found Thy grace sufficient for all His needs. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a continuing leave of absence to Senator Crawford due to hospitalization. Leaves of absence granted previously to Senators Hill and Scott are noted.

H. B. 423, Committee Substitute for **H. B. 423,** a bill to rewrite G. S. 14-399 relating to the crime of littering.

On motion of Senator Jordan, the rules are suspended, and the bill is taken from the **Judiciary I Committee** and re-referred to the **Natural and Economic Resources Committee.**

H. B. 1400, a bill to amend Article 5A of Chapter 122 to provide for involuntary commitment of mentally ill persons to the psychiatric service of the North Carolina Memorial Hospital, and to repeal Article 7 of Chapter 122.

On motion of Senator Allsbrook, the rules are suspended, and the bill is taken from the **Judiciary I Committee** and re-referred to the **Human Resources Committee.**

H. B. 1401, a bill to clarify the identity of the licensing authority of mental health facilities.

On motion of Senator Allsbrook, the rules are suspended, and the bill is taken from the **Judiciary I Committee** and re-referred to the **Human Resources Committee.**

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following special messages are received from the House of Representatives:

S. B. 722

HOUSE OF REPRESENTATIVES
June 21, 1977

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Amendment to S. B. 722, a bill to amend G. S. 15A-274, issuance of order, the Speaker has appointed as conferees on the part of the House, Representatives Short, Hairston, and Economos to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,
GRACE A. COLLINS
Principal Clerk

June 21, 1977

S. B. 756

HOUSE OF REPRESENTATIVES
June 21, 1977

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Amendment to S. B. 756, a bill to rewrite G. S. 20-81 concerning the issuance of official license plates to State officials and to correct uncertainties resulting from the enactment of Chapter 865 and Chapter 432 of the 1975 Session Laws, the Speaker has appointed as conferees on the part of the House, Representatives Bumgardner, Hall, and Hunter to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,
GRACE A. COLLINS
Principal Clerk

H. B. 1213, a bill to require participation of the Office of the Attorney General in the award of State contractual services contracts in excess of one hundred thousand dollars.

Referred to **Special Committee on Ways and Means.**

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator White for the **Agriculture Committee:**

H. B. 1448, a bill to rewrite G. S. 130-169 so as to eliminate dual inspection requirement by the Department of Agriculture and local health officials, with a favorable report.

By Senator Hardison for the **Appropriations Committee:**

S. B. 53, a bill to require State agencies to include anticipated federal funding in their budget preparations, to require the Director of the Budget to include this information in the budget submitted to the General Assembly, to provide for legislative appropriation of all federal funding for North Carolina, and to prohibit spending of any federal funds not considered in the legislative appropriation process without Advisory Budget Commission approval, without prejudice.

On motion of Senator Hardison, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 230, a bill to establish a Consumer and Advocacy Advisory Committee for the Blind, with a favorable report, as amended.

S. B. 280, a bill to appropriate funds for carrying out the purposes of Senate Bill 80 and House Bill 204 dealing with high school graduation competency testing, without prejudice.

On motion of Senator Hardison, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 320, a bill to amend Section 143B-394 of the General Statutes to increase to 20 the members of the Council on the Status of Women, with a favorable report, as amended.

S. B. 345, Committee Substitute for S. B. 345, a bill to provide for a more equitable reimbursement for the erroneous imprisonment of prisoners pardoned for innocence, with a favorable report, as amended.

S. B. 370, a bill to authorize the implementation of a pilot project in Caldwell County to test the concept of using school buses for school related activities during and after the regularly organized school day, with a favorable report, as amended.

S. B. 378, Committee Substitute for S. B. 378, a bill to transfer the Governor's Council on Employment of the Handicapped and the Governor's Advocacy Council on Children and Youth from the Department of Human Resources to the Department of Administration, with a favorable report, as amended.

S. B. 423, a bill to allow State employees to authorize salary deductions for the State Employees Combined Campaign, with a favorable report.

S. B. 635, a bill to set the speed limit for buses transporting children with special needs, without prejudice.

On motion of Senator Hardison, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 754, a bill to create a commission to study the statewide system of State parks and to make recommendations for necessary legislation to the 1977-1978 Session of the General Assembly, with a favorable report.

S. B. 811, a bill to change the membership of the Council on Developmental Disabilities so as to conform to federal law, with a favorable report, as amended.

H. B. 995, Committee Substitute for H. B. 995, a bill to set the speed limit for buses transporting children with special needs, with a favorable report.

H. B. 1369, a bill to amend G. S. 7A-6(c) to provide that special counsel at regional psychiatric facilities shall be included in the group of public officials who receive one copy of the advance sheets of the appellate division without charge, with a favorable report, as amended.

By Senator Smith of Guilford for the **Criminal Justice and Crime Control Committee:**

S. B. 853, a bill to amend Chapter 17A of the General Statutes by redefining purpose and application, renaming the Criminal Justice Training and Standards Council, and altering membership, with an unfavorable report.

By Senator Marion for the **Courts and Judicial Districts Committee:**

S. B. 893, a bill to amend Chapters 66 and 148 of the General Statutes concerning State policy on prison labor, with a favorable report.

H. B. 1379, Committee Substitute for **H. B. 1379**, a bill to amend G. S. 7A-39.3(a), G. S. 7A-39.6, G. S. 7A-52(a), G. S. 7A-53, and G. S. 7A-4.20, relating to the recall to active service of retired justices and judges, with a favorable report.

By Senator Totherow for the **Insurance Committee:**

H. B. 658, Committee Substitute for **H. B. 658**, a bill to repeal Articles 13, 13A, 13B and 25 of the General Statutes Chapter 58 relating to the Fire Insurance Rating Bureau, fire and casualty insurance rate regulations, and regulation of automobile liability insurance rates; to provide a new method of rate regulation; and to amend Chapters 58 and 97 to consolidate the functions of the Fire Insurance Rating Bureau, the Compensation Rating and Inspection Bureau, and the Automobile Rate Administrative Office; and to assure the proper operation of the North Carolina Reinsurance Facility on a sustaining but nonprofit basis, with a favorable report, as amended.

On motion of Senator Totherow, the Committee Substitute bill is placed on the Calendar for Wednesday, June 22 as Special Order of Business No. 1.

H. B. 1099, a bill to require that insurance agents of fraternal societies be subject to insurance examinations prior to licensing, with a favorable report, as amended.

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 318, a bill to require a mandatory five-year minimum sentence upon conviction of a felony involving the use of a firearm, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Allsbrook, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

S. B. 863, a bill to prevent fraudulent and deceptive practices in the sale of business opportunities, with a favorable report, as amended.

H. B. 949, Committee Substitute for **H. B. 949**, a bill to define the responsibility for maintenance of residential rental units, with a favorable report, as amended.

By Senator Britt for the **Judiciary II Committee:**

S. B. 360, House Committee Substitute for **S. B. 360,** a bill to amend the law relating to parents' right to dispose of custody and tuition of minor children by will, with a favorable report.

S. B. 876, a bill to rewrite the entry requirements for opticians, with a favorable report, as amended.

On motion of Senator Britt, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion Committee Amendment No. 1 is adopted.

On motion of Senator Britt the bill, as amended, is re-referred to the **Finance Committee.**

H. B. 468, Committee Substitute for H. B. 468, a bill to amend G. S. 90-297 to extend the speech and language pathologist and audiologist grandfather clause closing date and provide notice to persons who may be affected thereby, with a favorable report.

H. B. 814, Committee Substitute for **H. B. 814,** a bill to amend the exemptions from the Lobbying Act, with a favorable report.

H. B. 1026, a bill to amend G. S. 15-223 to make it clear that the expunction of records of conviction law does not apply to traffic violations, with a favorable report.

H. B. 1184, a bill repealing Chapter 166 of the North Carolina General Statutes, entitled, "North Carolina Civil Preparedness Act of 1951" and enacting a new Chapter 166A in lieu thereof relating to civil preparedness, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Britt, the rules are suspended, and the Senate Committee Substitute bill is placed on today's Calendar.

H. B. 1333, a bill to secure effective enforcement of the insulation and energy utilization standards of the State Building Code and to further protect the purchasers of products and services designed to meet those standards, with a favorable report.

H. B. 1406, a bill to extend the laws relating to breaking into or damaging coin-operated vending and other machines to apply to currency-operated machines, wtih a favorable report, as amended.

H. B. 1485, a bill to amend G. S. 93A-4(a) to delete the requirement that real estate brokers be citizens of the United States, with a favorable report.

H. B. 1497, a bill to delete the mandatory jury requirements for damages under G. S. 75-16, with a favorable report.

H. B. 1507, a bill to authorize the Dean of the School of Law of Campbell College to appoint a member to the General Statutes Commission, with a favorable report.

By Senator Childers for the **Manufacturing, Labor and Commerce Committee:**

S. B. 491, a bill to redefine "tipped employee" and to require that certain conditions must be met in order for the employer to qualify for "tip credit," without prejudice.

On motion of Senator Childers, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 494, a bill to make theater employees subject to the North Carolina Minimum Wage Act, without prejudice.

On motion of Senator Childers, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

By Senator Webster for the **Public Utilities and Energy Committee:**

S. B. 791, a bill to limit the security deposit required by natural gas public utilities, without prejudice.

H. B. 1395, a bill to amend the definition of "Public Utility" in G. S. 62-3(23) to exclude a residential landlord serving only his tenants, with an unfavorable report.

By Senator Henley for the **Rules and Operation of the Senate Committee:**

S. J. R. 894, a joint resolution honoring the members of Chrysalis and the Raleigh Women's Club for their outstanding accomplishment in winning the National America-the-Beautiful-Foundation Award, with a favorable report.

H. J. R. 811, a joint resolution continuing the Criminal Code Commission, with a favorable report.

H. J. R. 1253, a joint resolution honoring the life and memory of Dick O'Neal, a former member of the North Carolina General Assembly, with a favorable report.

On motion of Senator Henley, the rules are suspended, and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second and third readings and is ordered enrolled.

H. J. R. 1368, a joint resolution urging the Federal Food and Drug Administration to allow certain specially trained medical technicians to carry emergency insect sting kits and to administer epinephrine, with a favorable report.

By Senator Royall for the **Special Committee on Ways and Means:**

S. B. 776, a bill to restructure the Wildlife Resources Commission and to make other necessary changes, with an unfavorable report.

S.B. 797, a bill to amend G. S. 143B-267 to reorganize the Parole Commission of the Department of Correction by allowing the Governor to appoint in his discretion a commission consisting of three members, and to further define the duties of the Parole Commission and the Secretary of Correction, with a favorable report, as amended.

S. B. 814, a bill to clarify qualification of veterans in using service time for State retirement purposes, with an unfavorable report.

S. J. R. 830, a joint resolution establising a study commission to determine the feasibility of providing a tax shelter for employee contributions to the Teachers' and State Employees' Retirement System of North Carolina, with an unfavorable report as to joint resolution, favorable as to Committee Substitute joint resolution.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute joint resolution is placed on today's Calendar.

S. B. 882, a bill to make the Lieutenant Governor the Chairman of the Joint Legislative Commission on Governmental Operations, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

S. B. 888, a bill to amend Chapter 115A of the General Statutes so as to establish specific terms of employment for presidents of institutions in the North Carolina Community College System, with a favorable report.

H. B. 1200, a bill to amend Article 13B of Chapter 130 of the General Statutes to provide for penalties and remedies, with a favorable report.

H. B. 1207, a bill to further extend the time for registering grants or copies, with a favorable report.

H. B. 1267, a bill to amend Article 3 of Chapter 140 and Part 15 of Article 2 of Chapter 143B of the General Statutes, concerning the North Carolina Art Society, with a favorable report.

H. B. 1277, a bill to amend Article 22 of Chapter 14 of the General Statutes by adding G. S. 14-159.1 making it unlawful to alter, tamper with or bypass electric, gas or water meters; providing a presumption of intent and evidence thereof; providing penalties for violations; providing liability for damages in a civil action; providing an exemption; and providing an effective date, with a favorable report.

By Senator Combs for the **Wildlife Committee:**

H. B. 671, a bill to regulate the setting of steel traps and connibear traps in certain counties, with a favorable report.

H. B. 1370, a bill to provide for the conservation of beaver, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Stallings (by request):

S. B. 900, a bill to provide for the appointment of members to the Pamlico County Board of Alcoholic Control by the Pamlico County Board of County Commissioners.

Referred to **Alcoholic Beverage Control Committee.**

By Senators Whichard, Royall, Gray, Stallings, Jordan, Marvin, Lake, Winters, Wynne, Mathis, Garrison, Raynor, Henley, Hardison, Webster, Renfrow, and Popkin:

S. B. 901, a bill to amend Article 3 of Chapter 135 of the General Statutes to provide a contributory medical and hospital benefit care plan for employees and former employees of the General Assembly, their spouses, and dependents to be administered by the Board of Trustees of the Retirement System.

Referred to **State Government Committee.**

The rules are suspended to allow the referral of the following bills to committee:

By Senators Scott and Allsbrook:

S. B. 902, a bill to appropriate funds to the Department of Cultural Resources to improve and operate the State Capitol.

Referred to **Appropriations Committee.**

By Senator Smith of Guilford:

S. B. 903, a bill to amend G. S. 143-480 and G. S. 143B-137 concerning the policy of addressing problems through prevention.

Referred to **Human Resources Committee.**

By Senator White:

S. B. 904, a bill to appropriate funds to the Department of Agriculture for the surveillance of the swine disease known as pseudorabies.

Referred to **Appropriations Committee.**

By Senators Rauch and Mathis:

S. B. 905, a bill to amend G. S. 157-3(12) relative to the definition of housing project.

Referred to **Finance Committee.**

By Senator Rauch:

S. B. 906, a bill to amend G. S. 20-42 pertaining to acknowledgements of signatures by employees of the Division of Motor Vehicles.

Referred to **Finance Committee.**

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By Senator Lawing:

S. J. R. 907, a joint resolution directing the State Coordinating Council to study the cost of reducing infant mortality in North Carolina.

Referred to **Human Resources Committee.**

By Senator Britt:

S. B. 908, a bill to provide legal counsel for indigent defendants charged with a capital crime.

Referred to **Judiciary II Committee.**

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S. B. 16, Committee Substitute for S. B. 16, a bill to make appropriations for current operations of State departments, institutions, and agencies, and for other purposes, for concurrence in the House amendment.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 24, House Committee Substitute for S. B. 24, a bill providing that confiscated weapons not disposed of pursuant to G. S. 14-269.1(a)(1) through (4) shall be ordered turned over to the State Bureau of Investigation, and to make private use by a law enforcement officer of a confiscated weapon a misdemeanor.

Referred to **Judiciary I Committee.**

S. B. 239, Committee Substitute for S. B. 239, a bill to amend the laws relating to criminal procedure, for concurrence in the House amendment which is placed on the Calendar for Wednesday, June 22.

S. B. 334, Committee Substitute for S. B. 334, a bill to establish a system for the periodic review and for the termination, continuation, or reestablishment of certain licensing and regulatory agencies, for concurrence in the House amendments which is placed on the Calendar for Wednesday, June 22.

S. B. 715, Committee Substitute for S. B. 715, a bill to amend Article 9, Chapter 65 of the General Statutes relating to cemeteries, for concurrence in the House amendment which is placed on the Calendar for Wednesday, June 22.

H. B. 714, Committee Substitute for H. B. 714, a bill to revise and consolidate the Charter of the Town of Spring Lake and to repeal prior local acts.

Referred to **Local Government and Regional Affairs Committee.**

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H. B. 782, Committee Substitute for **H. B. 782,** a bill to revise and consolidate the Charter of the City of Concord and to repeal prior local acts.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 931, a bill to amend G. S. 105-446.3 to provide motor fuel tax refunds for private nonprofit transportation services and taxicabs.

Referred to **Ways and Means Committee.**

H. B. 1036, a bill to provide a one thousand dollar exemption from income tax for individuals who are deaf.

Referred to **Finance Committee.**

H. B. 1263, a bill to revise the Municipal Service District Act of 1973.

Referred to **Finance Committee.**

H. B. 1337, a bill to prevent killing cougars and to establish a penalty for violation.

Referred to **Wildlife Committee.**

H. B. 1362, a bill to amend G. S. 163-288.1 relating to city voters in annexed territory.

Referred to **Election Laws Committee.**

H. B. 1475, a bill to amend Chapter 6, Private Laws of North Carolina 1840-1841, As Amended, pertaining to the construction, operation and financing of hospital facilities by trustees of the Rex Hospital, Raleigh, North Carolina.

On motion of Senator Wynne, the rules are suspended, and the bill is placed on the Calendar for today.

H. B. 1505, a bill to increase the motor vehicle registration fee for support of driver education programs from two dollars to three dollars.

Referred to **Ways and Means Committee.**

H. B. 1512, a bill to clarify Chapter 460 of the 1977 Session Laws relating to the authority of the Department of Transportation to condemn real property.

Referred to **Transportation Committee.**

H. B. 1519, a bill to amend Chapter 469 of the 1977 Session Laws to make technical corrections.

On motion of Senator McDuffie, the rules are suspended, and the bill is placed on the Calendar for today.

CONFERENCE REPORT

S. B. 722

Senator Mathis, for the Conferees appointed to consider the differences arising between the Senate and House of Representatives upon **S. B. 722,** a bill to amend G. S. 15A-274, issuance of order, and G. S. 15A-227, service of order, submits the following report:

June 21, 1977

To the President of the Senate and the Speaker of the House of Representatives:

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatvies on S. B. 722, a bill to amend G. S. 15A-274, issuance of order, and G. S. 15A-227, service of order, wish to report as follows:

Rewrite Section 1, 2, and 3 to read as follows:

Section 1. G. S. 15A-274 as the same appears in the 1975 Replacement Volume 1C of the General Statutes is hereby amended by rewriting the second sentence to read as follows:

"Unless the nature of the evidence sought makes it likely that delay will adversely affect its probative value, or when it appears likely that the person named in the order may destroy, alter, or modify the evidence sought or may not appear, the order must be served at least 72 hours before the time designated for the non-testamonial identification procedure."

Section 2. G. S. 15A-277 as the same appears in the 1975 Replacement Volume 1C of the General Statutes is hereby amended by eliminating the period and adding "or when it appears likely that the person named in the order may destroy, alter, or modify the evidence sought, or may not appear."

Section 3. This act shall become effective upon ratification.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 21st day of June, 1977.

CAROLYN MATHIS
ROBERT S. SWAIN
HENSON P. BARNES
Conferees on the part of the Senate

PETER W. HAIRSTON
W. M. SHORT
GUS ECONOMOS
Conferees on the part of the House of Representatives

On motion of Senator Mathis the Conference Report is adopted and a message is ordered sent to the House of Representatives notifying that Honorable Body of such action.

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 318, Committee Substitute for S. B. 318, a bill providing for mandatory prison confinement for persons convicted of armed robbery or burglary.

On motion of Senator Allsbrook, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Thursday, June 23.

S. B. 687, a bill to amend G. S. 62-268 to provide that motor carriers may satisfy the financial responsibility requirements of the Utilities Commission through one or more insurers.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 716, a bill to permit counties to recover indirect cost on health and mental health programs to the full extent permitted by law.

On motion of Senator Henley, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 730, a bill to extend some or all of the provisions of the Local Government Budget and Fiscal Control Act to nonprofit corporations receiving moneys from counties and cities, for concurrence in the House amendment.

On motion of Senator Renfrow, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 765, Committee Substitute for S. B. 765, a bill establishing the procedure for retaining an individual's driver's license in order to insure his appearance in court in the Twelfth Judicial District, upon third reading.

The Committee Substitute bill passes its third reading and is ordered sent to the House of Representatives.

S. B. 808, a bill to add the president of the student government or the chairman of the executive board of the student body of each community college, technical institute, and industrial education center established pursuant to G. S. 115-A to the board of trustees of said institutions as **ex officio** voting members.

On motion of Senator Renfrow, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 817, a bill to amend G. S. 160A-360 to provide for use of current population of municipalities in determining planning jurisdiction.

On motion of Senator Harris, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. J. R. 830, Committee Substitute for S. J. R. 830, a joint resolution directing the Legislative Research Commission to make a study to determine the feasibility of providing a tax shelter for employee contributions to the Teachers' and State Employees' Retirement System of North Carolina.

On motion of Senator Royall, the Committee Substitute joint resolution is adopted, and on his further motion is placed on the Calendar for Thursday, June 23.

S. J. R. 849, Committee Substitute for **S. J. R. 849**, a joint resolution directing the Legislative Services Commission to study the necessity and efficiency of retaining regional offices in the Department of Human Resources.

The joint resolution passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 869, a bill to amend Chapter 159B of the General Statutes to implement the provisions of Article V, Section 10 of the North Carolina Constitution, upon second reading.

On motion of Senator Webster, consideration of the bill is postponed until Wednesday, June 22.

S. B. 877, a bill to amend Chapter 6, Private Laws of North Carolina 1840-1841, As Amended, pertaining to the construction, operation and financing of hospital facilities by trustees of the Rex Hospital, Raleigh, North Carolina, upon second reading.

On motion of Senator Wynne, consideration of the bill is postponed until Wednesday, June 22.

S. B. 882, Committee Substitute for **S. B. 882**, a bill to make the Lieutenant Governor the Chairman of the Joint Legislative Commission on Governmental Operations.

On motion of Senator Royall, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Thursday, June 23.

H. B. 100, Committee Substitute for **H. B. 100**, a bill to amend the Constitution of North Carolina to insure the continuation of the policy of a balanced budget, as amended, upon third reading.

The Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Jordan, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Sharpe, Smith of Guilford, Soles, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 39.

The Committee Substitute bill, as amended, is ordered sent to the House of Representatives for concurrence in the Senate amendments.

H. B. 342, Committee Substiutte for **H. B. 342**, a bill to amend Chapter 18A of the General Statutes concerning the issuance of special occasion permits and the fees for such permits, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Crawford, Daniels, Davis,

Garrison, Gray, Hardison, Harris, Henley, Jordan, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Sharpe, Smith of Guilford, Soles, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 39.

The Committee Substitute bill is ordered enrolled.

H. B. 445, Committee Substitute for **H. B. 445,** a bill to provide for the fixing of utility rates in North Carolina based upon the reasonable original cost of the property of the public utility used and useful in providing service to the public, as amended, upon third reading.

The Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 36, noes 3, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Childers, Combs, Daniels, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Marion, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 36.

Those voting in the negative are: Senators Barnes, McDuffie, and Smith of Guilford — 3.

Without objection, Senator Davis is excused from voting for the stated reason: "Possible conflict of interest."

The Committee Substitute bill, as amended, is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 470, Committee Substitute for **H. B. 470,** a bill to amend G. S. 18A-35 to allow local government units to regulate the public consumption of malt beverages and wine.

Senator Allsbrook offers Amendment No. 1 which is adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrnece in the Senate amendment.

H. B. 500, Committee Substitute for **H. B. 500,** a bill to authorize the Board of Alcoholic Control to refuse to issue retail malt beverage and wine permits.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 550, a bill to amend G. S. 143B-182 and G. S. 143B-183 to modify the State Mental Health Council for the purpose of meeting requirements set by federal authorities as a condition to receiving federal aid.

On motion of Senator Raynor, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 644, Committee Substitute for **H. B. 644,** a bill to amend article 18A of Chapter 90 of the General Statutes controlling licensing of practicing psychologists.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 708, Committee Substitute for **H. B. 708**, a bill to amend G. S. 41-2.1, right of survivorship in bank deposits created by written agreement, so as to make such deposits subject to additional claims.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 719, Committee Substitute for **S. B. 719**, a bill to amend Article 4 of Chapter 122 of the General Statutes to protect the privacy of minors voluntarily admitted to a treatment facility by making the court record of admission confidential.

On motion of Senator Barnes, Committee Amendment No. 1 is adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 884, Committee Substitute for **H. B. 884**, a bill to transfer North Carolina Housing Finance Agency from the Department of the Treasurer to the Department of Natural and Economic Resources and to make necessary conforming and technical changes in the General Statutes of North Carolina.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 919, a bill to amend Part 2, Article 3 of Chapter 108 and G. S. 143B-153(3)c. to provide that the Department of Human Resources shall inspect and license all child-caring institutions in North Carolina except those specifically exempt, upon third reading.

The bill passes its third reading and is ordered enrolled.

H. B. 974, Committee Substitute for **H. B. 974**, a bill to amend Section 135-4 of the General Statutes relating to creditable service in the retirement system.

On motion of Senator Whichard, the Committee Amendment No. 1 is adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 976, a bill to amend G. S. 1A-1, Rule 55, to authorize entry of default judgement on motion.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1050, Senate Committee Substitute for **H. B. 1050**, a bill to revive and improve certain provisions of Chapter 75 of the General Statutes to protect the citizens of North Carolina from unfair, unethical, deceptive and unscrupulous business practices.

On motion of Senator Britt, the Senate Committee Substitute bill is re-committed to the **Judiciary II Committee.**

H. B. 1073, a bill to amend Chapter 18A of the General Statutes to permit the sale of wine cocktails in Grade A Restaurants with on-premises wine permits.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1116, a bill to amend North Carolina G. S. 76-14 to increase pilotage charges for vessels navigating the Cape Fear River and bar, upon second reading.

The bill passes its second reading by roll-call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Garrison, Gray, Hardison, Harrington, Harris, Jordan, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, and Winters — 39.

The bill remains on the Calendar upon third reading.

H. B. 1153, a bill amending Chapter 159C of the General Statutes which authorizes counties to create authorities to issue bonds to finance industrial and pollution control projects, to revise the provisions thereof relating to eligibility requirements for appointment to an authority, to the average manufacturing wage requirement for industrial projects, to the taxation of projects and tax exemption of interest on bonds, to contracts for the acquisition and construction of projects, and to conflicts of interest, to add provisions permitting the subordination of bonds to other security interests and providing that the Local Government Budget and Fiscal Control Act shall not apply to authorities, and to repeal provisions requiring an annual audit, as amended, upon second reading.

The bill, as amended, passes its second reading by roll-call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Lake, Lawing, Marion, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Whichard, White, and Winters — 39.

The bill, as amended, remains on the Calendar upon third reading.

H. B. 1184, Senate Committee Substitute for **H. B. 1184**, a bill repealing Chapter 166 of the North Carolina General Statutes, entitled, "North Carolina Civil Preparedness Act of 1951" and enacting a new Chapter 166A in lieu thereof relating to civil preparedness.

On motion of Senator Britt, the Senate Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Thursday, June 23.

H. B. 1223, a bill to authorize and regulate movement of structures, historical buildings, houses or other extraordinary objects on State highway system of roads, upon second reading.

On motion of Senator Gray, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading by roll-call vote, ayes 37, noes 1, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Lake, Lawing, Marion, Marvin, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Whichard, White, and Winters — 37.

Voting in the negative is: Senator Webster — 1.

The bill, as amended, remains on the Calendar upon third reading.

H. B. 1389, a bill to control noise pollution from speedboats with engines capable of producing in excess of 4000 RPM's.

Senator Daniels offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1475, a bill to amend Chapter 6, Private Laws of North Carolina 1840-1841, As Amended, pertaining to the construction, operation and financing of hospital facilities by trustees of the Rex Hospital, Raleigh, North Carolina, upon second reading.

The bill passes its second reading by roll-call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Lawing, Marion, Marvin, Mathis, Palmer Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 39.

The bill remains on the Calendar upon third reading.

H. B. 1487, a bill to amend Part 4 of Article 3 of Chapter 143B of the General Statutes to reorganize the Commission for Mental Health Services to include adequate representation for mentally retarded citizens.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1498, a bill to amend Chapter 159B of the General Statutes to implement the provisions of Article V, Section 10 of the North Carolina Constitution, upon second reading.

The bill passes its second reading by roll-call vote, ayes 37, noes 1, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Soles, Speed, Stallings, Swain, Totherow, Walker, Webster, White, and Winters — 37.

Voting in the negative is: Senator Somers — 1.

The bill remains on the Calendar upon third reading.

H. B. 1519, a bill to amend Chapter 469 of the 1977 Session Laws to make a technical correction.

The bill passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 2, an act to provide that the primary election shall be held in May and to make appropriate changes in the election laws.

S. B. 78, Committee Substitute for **S. B. 78**, an act to amend G. S. 115.25 relative to the eligibility to school employees and district committee members to serve on boards of education.

S. B. 697, an act to amend G. S. 55A-15 to authorize nonprofit hospital corporations to purchase officers and directors liability insurance.

S. B. 847, an act to provide that the acceptance of Medicaid constitutes an assignment to the State of right to third party insurance benefits and to prescribe procedure for recovery of said benefits.

S. B. 856, an act to provide for the appointment of members to the Craven County Board of Alcoholic Control by the Craven County Board of County Commissioners.

H. B. 448, an act to provide for the collection and disbursement of family support payments by clerk of superior court instead of Department of Social Services in Richmond County.

H. B. 727, an act to amend the Workmen's Compensation Act with respect to benefits for permanent and total disability.

H. B. 826, an act to amend the biennial licensure fee of the Board of Examiners for Nursing Home Administrators and to authorize examination and training program fees.

H. B. 874, an act to redefine "tipped employee" and to require that certain conditions must be met in order for the employer to qualify for "tip credit".

H. B. 921, an act to amend G. S. 108-46 to require the county from which an AFDC recipient moves to pay the amount of assistance to which the recipient is entitled for a period of one month following the move.

H. B. 922, an act to amend G. S. 108-47 relating to public assistance checks made payable to decedents.

H. B. 1024, an act providing for the accurate identification of records ordered to be expunged.

H. B. 1063, an act to amend G. S. 130-9(e) to provide that State inspections of nursing homes shall be given without prior notice and that the giving of prior notice of inspection shall be a misdemeanor.

H. B. 1070, an act to authorize the issuance of three hundred million dollars of bonds of the State to provide funds for the construction of highways subject to a vote of the qualified voters of the State.

H. B. 1104, Committee Substitute for H. B. 1104, an act to make technical revisions in Chapter 105 of the General Statutes.

H. B. 1148, an act to amend G. S. 113-95, relating to hunting and fishing license fees, so as to provide for a reduced fee for totally disabled residents of this State.

H. B. 1169, an act to prohibit a landlord, owner, or agent from refusing to rent or sell his premises to a visually handicapped person because he has a guide dog.

H. B. 1195, Committee Substitute for H. B. 1195, an act to amend G. S. 143-132 to permit award of public contracts for construction and repair upon receipt of fewer than three bids when doing so best serves the public interest.

H. B. 1202, an act to amend Chapter 25 of the General Statutes specifically giving the Department of Cultural Resources responsibility for planning and coordinating cooperative library development.

H. B. 1246, an act to amend Chapter 115, Article 2A of the General Statutes pertaining to the Council on Educational Services for Exceptional Chlidren.

H. B. 1265, an act to amend the Community Development Law to authorize cities and counties to acquire property for the purpose of redevelopment.

H. B. 1317, an act to amend G. S. 160A-497 relating to municipal programs for the elderly.

H. B. 1356, an act to amend the provisions for final disposition or transportation of deceased migrant farm workers.

H. B. 1371, an act to amend the North Carolina General Statutes relating to body execution.

H. B. 1410, an act to make a technical amendment to G. S. 25A-36.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:00 P.M.

ONE HUNDRED SIXTEENTH DAY

SENATE CHAMBER,
Wednesday, June 22, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, as we face the numerous critical situations of our day, may we make sure that we are always a part of the solution to these problems rather than a contributor to them. May we strive to be so helpful to others in their time of need that they may look upon us as the shadow of a mighty rock within a weary land. For Thy name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motión the reading of the Journal is dispensed with and it stands approved as written.

Leaves of absence granted previously to Senators Scott and Crawford are noted. Senator Hill returns for a portion of today's Session.

The President extends courtesies of the floor to the Honorable William Copeland, Associate Justice of the North Carolina Supreme Court and to the Honorable C. E. Leatherman, former Representative from Lincoln County.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

HOUSE OF REPRESENTATIVES
June 22, 1977

Mr. President:

It is ordered that a message be sent the Senate inviting that Honorable Body to meet in Joint Session with the House of Representatives on Monday evening, June 27, at eight o'clock, for the purpose of confirming Mr. Hugh Wells as Executive Director of the Public Staff of the Utilities Commission.

Respectfully,
GRACE A. COLLINS
Principal Clerk

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

June 22, 1977

H. B. 124, Committee Substitute for H. B. 124

HOUSE OF REPRESENTATIVES
June 22, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on H. B. 124, Committee Substitute for H. B. 124, a bill to prohibit setting or using trap of leg-gripping or connibear type in Alleghany, Avery, Cleveland, Forsyth, Mitchell, Moore, Nash, Stokes, and Yadkin Counties, to the end that when a similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,
GRACE A. COLLINS
Principal Clerk

CONFERENCE REPORT

H. B. 124, Committee Substitute for H. B. 124

Senator Speed, for the Conferees appointed to consider the differences arising between the Senate and House of Representatives upon H. B. 124, Committee Substitute for H. B. 124, a bill to prohibit setting or using traps of leg-gripping or connibear type in Alleghany, Avery, Cleveland, Forsyth, Mitchell, Moore, Nash, Stokes, and Yadkin Counties, submits the following report:

To the President of the Senate and the Speaker of the House of Representatives:

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on H. B. 124, Committee Substitute for H. B. 124, a bill to prohibit setting or using traps of leg-gripping or connibear type in Alleghany, Avery, Cleveland, Forsyth, Mitchell, Moore, Nash, Stokes, and Yadkin Counties, wish to report as follows: to re-insert the words "Avery, Mitchell and Yadkin" on page 1, lines 3 and 4, as set forth in the title of the original bill.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 22nd day of June, 1977.

JAMES D. SPEED
DONALD R. KINCAID
M. R. DANIELS
Conferees on the part of the Senate

ALLEN MARTIN
LULA BELLE WISEMAN
JIM EDWARDS
Conferees on the part of the House of Representatives

June 22, 1977

On motion of Senator Speed, the Conference Report is adopted and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. B. 1389

HOUSE OF REPRESENTATIVES
June 22, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate amendment to H. B. 1389, a bill to control noise pollution from speedboats with engines capable of producing in excess of 4000 RPM's, and requests conferees. The Speaker has appointed Representatives Bell, Davenport, and Hunt on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,
GRACE A. COLLINS
Principal Clerk

Senator Daniels moves that the President appoint conferees, which motion prevails. The President appoints Senators Daniels, Smith of New Hanover, and Speed as conferees on the part of the Senate and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

H. B. 302, Committee Substitute for H. B. 302, a bill to provide that the advertising of the price of ophthalmic materials be permitted in North Carolina.

On motion of Senator Allsbrook, the rules are suspended, and the Committee Substitute bill is taken from the **Judiciary I Committee** and re-referred to the **Special Committee on Ways and Means.**

H. B. 423, Committee Substitute for H. B. 423, a bill to rewrite G. S. 14-399 relating to the crime of littering.

On motion of Senator Speed, the rules are suspended, and the Committee Substitute bill is taken from the **Natural and Economic Resources Committee** and re-referred to the **Special Committee on Ways and Means.**

H. B. 926, a bill to create a special waterfowl hunting license and to increase the Migratory Waterfowl Conservation Program.

On motion of Senator Royall, the rules are suspended, and the bill is taken from the **Special Committee on Ways and Means** and re-referred to the **Finance Committee.**

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Winters for the **Alcoholic Beverage Control Committee:**

S. B. 155, a bill to authorize local boards of alcoholic control to enter into interlocal agreements, with a favorable report.

S. B. 890, a bill to increase the size of the Carteret County Board of Alcoholic Control from three members to five members, with a favorable report.

S. B. 900, a bill to provide for the appointment of members to the Pamlico County Board of Alcoholic Control by the Pamlico County Board of County Commissioners, with a favorable report.

H. B. 882, a bill to authorize the holding of a malt beverage and unfortified wine election in the Town of Rural Hall, with an unfavorable report.

Senator Davis moves that the bill be taken from the table and placed on the Calendar for Thursday, June 23, which motion prevails.

By Senator McDuffie for the **Election Laws Committee:**

H. B. 149, a bill to amend G. S. 163-211 to increase the per diem and mileage compensation provided presidential electors meeting in the City of Raleigh, with a favorable report.

H. B. 1362, a bill to amend G. S. 163-288.1 relating to city voters in annexed territory, with a favorable report.

By Senator Rauch for the **Finance Committee:**

H. B. 971, a bill to increase nonresident big game hunting license fee, with a favorable report.

H. B. 1214, a bill to provide for the issuance of special registration plates for members of fire departments and rescue squads, with a favorable report.

H. B. 1263, a bill to revise the Municipal Service District Act of 1973, with a favorable report, as amended.

By Senator Harris for the **Human Resources Committee:**

S. B. 903, a bill to amend G. S. 143-480 and G. S. 143B-137 concerning the policy of addressing problems through prevention, with a favorable report.

S. J. R. 907, a joint resolution directing the State Health Coordinating Council to study the cost of reducing infant mortality in North Carolina, with a favorable report, as amended.

H. B. 1400, a bill to amend Article 5A of Chapter 122 to provide for involuntary commitment of mentally ill persons to the psychiatric service

of the North Carolina Memorial Hospital, and to repeal Article 7 of Chapter 122, with a favorable report.

H. B. 1401, a bill to clarify the identity of the licensing authority for mental health facilities, with a favorable report.

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 837, a bill to establish a statute of limitations for actions alleging deprivation of rights under color of State law, with a favorable report, as amended.

S. B. 838, a bill to establish a statute of limitations for actions alleging unlawful discrimination employment practices, with a favorable report, as amended.

H. B. 356, Committee Substitute for **H. B. 356**, a bill to amend Chapter 7A of the General Statutes pertaining to the judicial procedure applicable to juveniles to allow the appointment of an attorney as guardian ad litem for any child alleged to be neglected, with a favorable report.

H. B. 440, Committee Substitute for **H. B. 440**, a bill to require special permits for movement on public roads in Mitchell and Avery Counties of mobile or modular homes of a width in excess of 12 feet and further to prohibit such movement on certain designated public roads in those Counties, with a favorable report, as amended.

H. B. 707, Committee Substitute for **H. B. 707**, a bill to eliminate the requirement for commissioners to assist magistrates in assigning value to personal property to determine the statutory amount allocated to survivors as the year's allowance; but retaining the provision for commissioners to be appointed when the court, under G. S. 30-30, orders determination of a sufficient amount for support, with an unfavorable report.

H. B. 1133, Committee Substitute for **H. B. 1133**, a bill to permit turns through medians by State highway patrolmen, with a favorable report.

H. B. 1183, a bill to provide for special treatment of all youthful offenders and establish special parole consideration for youthful offenders, with a favorable report.

H. B. 1240, Committee Substitute for **H. B. 1240**, a bill to reenact G. S. 10-12, G. S. 10-13 and G. S. 21-21.1 to validate certain acts performed by notaries public since 1973, with a favorable report.

By Senator Britt for the **Judiciary II Committee:**

S. B. 731, a bill to amend G. S. 108-45, relating to the confidentiality of records of the Department of Human Resources and county social service departments, with a favorable report.

H. B. 325, a bill to amend G. S. 14-162 to delete any reference to removal of personal property from any boat or landing and to increase the penalty for the trespass, with a favorable report.

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H. B. 808, a bill to amend G. S. 148-45(e) to provide that a sentence for escape shall commence at termination of any other sentences, with a favorable report.

H. B. 975, Committee Substitute for **H. B. 975**, a bill to rewrite Chapter 83 of the General Statutes as Chapter 83A relating to architects, with a favorable report, as amended.

H. B. 1050, Senate Committee Substitute No. 1 for **H. B. 1050**, a bill to revive and improve certain provisions of Chapter 75 of the General Statutes, to protect the citizens of North Carolina from unfair, unethical, deceptive and unscrupulous business practices, with an unfavorable report as to Senate Committee Substitute bill No. 1, favorable as to Senate Committee Substitute bill No. 2.

On motion of Senator Britt, the rules are suspended, and the Senate Committee Substitute bill No. 2 is placed on today's Calendar.

H. B. 1121, a bill to amend Chapter 133 of the General Statutes entitled Public Works, with a favorable report.

By Senator Soles for the **Local Government and Regional Affairs Committee:**

S. B. 249, a bill to grant the City of Greenville alternative condemnation procedures, with a favorable report.

S. B. 432, a bill to revise and consolidate the Charter of the Town of Valdese and to repeal prior local acts, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Soles, the rules are suspended, and the Committee Substitue bill is placed on today's Calendar.

H. B. 463, a bill to grant the City of Greenville alternative condemnation procedures, with a favorable report.

H. B. 714, Committee Substitute for **H. B. 714**, a bill to revise and consolidate the Charter of the Town of Spring Lake and to repeal prior local acts, with a favorable report.

H. B. 782, Committee Substitute for **H. B. 782**, a bill to revise and consolidate the Charter of the City of Concord and to repeal prior local acts, with a favorable report.

H. B. 887, Committee Substitute for **H. B. 887**, a bill to require approval by a referendum before a municipality in Dare County may annex pursuant to Part 2 and Part 3 of Article 4A of Chapter 160A of the General Statutes, with an unfavorable report.

H. B. 1297, a bill to add a new Section G. S. 1-42.4 to extinguish ancient mineral claims in Ashe County and to require that oil, gas and mineral interests within Ashe County be recorded and listed for taxation, with a favorable report.

H. B. 1388, a bill to amend Chapter 185, Private Laws of 1929 relating to the tax collector and treasurer of the Town of Vanceboro, with a favorable report.

By Senator Royall for the **Special Committee on Ways and Means:**

S. B. 889, a bill to provide that the Lieutenant Governor and the Speaker of the House shall be ex officio members of the Advisory Budget Commission, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

H. B. 1213, a bill to require participation of the Office of the Attorney General in the award of State contractual services contracts in excess of one hundred thousand dollars, with a favorable report.

By Senator Whichard for the **State Government Committee:**

S. B. 901, a bill to amend Article 3 of Chapter 135 of the General Statutes to provide a contributory medical and hospital benefit care plan for employees and former employees of the General Assembly, their spouses, and dependents to be administered by the Board of Trustees of the Retirement System, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

On motion of Senator Henley, Rule 40 is suspended for the remainder of this Session, to allow referral of bills to committee on the same legislative day as filed.

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Hill:

S. B. 909, a bill to amend Chapter 606 of the 1977 Session Laws to expressly authorize the ABC Board of the Town of Brevard to enter into a contract with a local law enforcement agency.

On motion of Senator Hill, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 142, House Committee Substitute for Committee Substitute for **S. B. 142**, a bill to amend the Guardianship Laws.

Referred to **Judiciary II Committee.**

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S. B. 598, Committee Substitute for S. B. 598, a bill to grant executor or trustee discretion to make distributions in cash or kind, without regard to federal income tax basis, for concurrence in the House amendments which is placed on the Calendar for Thursday, June 23.

S. J. R. 599, a joint resolution urging the government of the United States to maintain its diplomatic relations and the mutual defense treaty with the Republic of China; and for other purposes, for concurrence in the House amendment which is placed on the Calendar for Thursday, June 23.

S. B. 757, House Committee Substitute for S. B. 757, a bill to amend certain provisions of the law relating to the Battleship Commission.

On motion of Senator Smith of New Hanover, the rules are suspended, and the House Committee Substitute bill is placed on the Calendar for Thursday, June 23.

H. B. 366, Committee Substitute for H. B. 366, a bill to create employment opportunities for blind and/or severely handicapped persons by assuring a market for products and services provided by them, and for other purposes.

Referred to **Human Resources Committee.**

H. B. 432, Committee Substitute for H. B. 432, a bill to make unlawful the alteration, destruction, or removal of serial numbers or other permanent identification marks from personal property and to make unlawful the sale, purchase or possession of property on which the serial number or permanent identification mark has been so altered, destroyed, or removed; and set the punishment therefor.

Referred to **Judiciary II Committee.**

H. J. R. 563, a joint resolution directing the Legislative Research Commission to study the property tax on business inventories.

Referred to **Rules and Operation of the Senate Committee.**

H. B. 1160, a bill to allow an increase in the percentage of supervisory personnel in the State highway patrol from eighteen percent to twenty-one percent.

Referred to **Law Enforcement and Crime Control Committee.**

H. B. 1236, Committee Substitute for H. B. 1236, a bill to restructure the method of selecting the Indian members of the State Commission of Indian Affairs.

Referred to **State Government Committee.**

H. B. 1276, a bill to amend G. S. 58-40.2 to include insurers and licensed agents within coverage of insurance brokers bond.

Referred to **Insurance Committee.**

H. B. 1348, a bill to amend G. S. 143B-267 to reorganize the Parole Commission of the Department of Correction by allowing the Governor to appoint in his discretion a commission consisting of five members, and to further define the duties of the Parole Commission and the Secretary of Correction.

On motion of Senator Jordan, the rules are suspended, and the bill is placed on the Calendar for today.

H. B. 1372, Committee Substitute for **H. B. 1372,** a bill to provide a dismissal-with-leave procedure for fugitives who flee the jurisdiction of the court.

Referred to **Judiciary II Committee.**

H. B. 1398, Committee Substitute for **H. B. 1398,** a bill to amend the General Statutes relating to the time at which claim and delivery may be sought.

Referred to **Judiciary II Committee.**

H. J. R. 1451, a joint resolution requiring a report on program overlapping between public institutions of higher learning, justification for certain overlapping, and steps taken to eliminate unnecessary duplication in the two systems.

Referred to **Rules and Operation of the Senate Committee.**

H. J. R. 1459, a joint resolution requesting the State Board of Education to encourage local school administrative units to provide first aid training for school personnel and students in the high schools.

Referred to **Rules and Operation of the Senate Committee.**

H. B. 1466, a bill to rewrite G. S. 28A-14-3 regarding notice to and the barring of claims of creditors of decedents.

Referred to **Judiciary II Committee.**

H. B. 1468, a bill to state the interest rate ceiling on certain small business loans and certain loans secured by property used for nonprofit purposes.

Referred to **Banking Committee.**

H. B. 1499, a bill to amend G. S. 122-56.7 to require that notice be given to the parent or guardian of a minor or a person adjudicated non compos mentis.

Referred to **Human Resources Committee.**

H. B. 1515, a bill to transfer the Commission of Indian Affairs to the Department of Administration.

Referred to **Special Committee on Ways and Means.**

H. J. R. 1523, a joint resolution urging Congress to enact enabling legislation looking toward the planning and financing of a White House conference on aging in 1980 or 1981.

Referred to **Rules and Operation of the Senate Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

SPECIAL ORDER NO. 1

H. B. 658, Committee Substitute for H. B. 658

The hour having arrived for the consideration of Special Order No. 1, the President of the Senate lays before the Senate Special Order No. 1, it being **H. B. 658**, Committee Substitute for **H. B. 658**, a bill to repeal Articles 13, 13A, 13B and 25 of General Statutes Chapter 58 relating to the Fire Insurance Rating Bureau, fire and casualty insurance rate regulations, and regulation of automobile liability insurance rates; to provide a new method of rate regulation; and to amend Chapters 58 and 97 to consolidate the functions of the Fire Insurance Rating Bureau, the Compensation Rating and Inspection Bureau, and the Automobile Rate Administrative Office; and to assure the proper operation of the North Carolina Reinsurance Facility on a sustaining but nonprofit basis, upon second reading.

Senator Totherow offers Committee Amendments No. 1 and No. 2.

Senator Soles offers Amendment No. 3 to amend Committee Amendment No. 2.

Senator Totherow calls the previous question, duly seconded. The call is sustained.

Amendment No. 3 is adopted.

Committee Amendment No. 2, as amended by Amendment No. 3, is adopted.

Senator White offers Amendment No. 4 to amend Committee Amendment No. 1 which is subsequently withdrawn.

Committee Amendment No. 1 is adopted.

Committee Amendment No. 5 is adopted.

Committee Amendment No. 6 is adopted.

Committee Amendment No. 7 is adopted.

Senator Soles offers Amendment No. 8 which fails of adoption.

Senator Sharpe offers Amendment No. 9.

Senator Smith of New Hanover moves that Amendment No. 9 do lie upon the table, seconded by Senator Garrison, which motion prevails. Amendment No. 9 lies upon the table.

Senator Smith of Guilford offers Amendment No. 10.

Senator Smith of New Hanover moves that Amendment No. 10 do lie upon the table, seconded by Senator Garrison, which motion prevails. Amendment No. 10 lies upon the table.

Senator Walker offers Amendment No. 11.

Senator Lawing moves that Amendment No. 11 do lie upon the table, seconded by Senator Stallings, which motion fails to prevail.

Amendment No. 11 is adopted.

Senator Smith of Guilford offers Amendment No. 12 which fails of adoption.

Senator Smith of Guilford offers Amendment No. 13 which fails of adoption.

Senator Vickery offers Amendment No. 14 which fails of adoption.

The Committee Substitute bill, as amended, passes its second reading by roll-call vote, ayes 27, noes 17, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Garrison, Hardison, Henley, Jordan, Kincaid, Lake, Lawing, Marion, Mathis, McDuffie, Popkin, Renfrow, Royall, Smith of New Hanover, Somers, Speed, Stallings, Totherow, Webster, Whichard, White, and Wynne — 27.

Those voting in the negative are: Senators Alexander, Childers, Combs, Daniels, Gray, Harrington, Harris, Marvin, Palmer, Rauch, Raynor, Sharpe, Smith of Guilford, Soles, Swain, Vickery, and Walker — 17.

Without objection, Senator Davis is excused from voting for the stated reason: "Possible conflict of interest."

The Committee Substitute bill, as amended, remains on the Calendar upon third reading.

S. B. 230, a bill to establish a Consumer and Advocacy Advisory Committee for the Blind.

Senator Whichard offers Committee Amendment No. 1 which is subsequently withdrawn.

Senator Whichard offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 239, Committee Substitute for S. B. 239, a bill to amend the laws relating to criminal procedure, for concurrence in the House amendment.

On motion of Senator Barnes, the Senate concurs in the House amendment and the Committee Substitute bill is ordered enrolled.

S. B. 320, a bill to amend Section 143B-394 of the General Statutes to increase to 20 the members of the Council on the Status of Women.

On motion of Senator Mathis, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 334, Committee Substitute for S. B. 334, a bill to establish a system for the periodic review and for the termination, continuation or reestablishment of certain licensing and regulatory agencies, for concurrence in the House amendments.

On motion of Senator Whichard, the Senate concurs in the House amendments and the bill is ordered enrolled.

S. B. 345, Committee Substitute for S. B. 345, a bill to provide for a more equitable reimbursement for the erroneous imprisonment of prisoners pardoned for innocence.

On motion of Senator Mathis, Committee Amendments No. 1 and No. 2 are adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 360, House Committee Substitute for S. B. 360, a bill to amend the law relating to parents' right to dispose of custody and tuition of minor children by will.

The House Committee Substitute bill passes its second and third readings and is ordered enrolled.

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S. B. 370, a bill to authorize the implementation of a pilot project in Caldwell County to test the concept of using school buses for school related activities during and after the regularly organized school day, as amended.

On motion of Senator Hardison, Committee Amendment No. 3 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 378, Committee Substitute for S. B. 378, a bill to transfer the Governor's Council on Employment of the Handicapped and the Governor's Advocacy Council on Children and Youth from the Department of Human Resources to the Department of Administration.

On motion of Senator Hardison, Committee Amendments No. 1 and No. 2 are adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special mesenger, without engrossment.

S. B. 423, a bill to allow State employees to authorize salary deductions for the State employees combined campaign, as amended.

Senator Whichard calls the previous question, duly seconded. The call is sustained.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 432, Committee Substitute for S. B. 432, a bill to revise and consolidate the Charter of the Town of Valdese and to repeal prior local Acts.

On motion of Senator Soles, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Friday, June 24.

S. B. 512, Committee Substitute for S. B. 512, a bill to transfer North Carolina Housing Finance Agency from the Department of the Treasurer to the Department of Natural and Economic Resources and to make necessary conforming and technical changes in the General Statutes of North Carolina.

On motion of Senator Whichard, duly seconded, the Committee Substitute bill is postponed indefinitely.

S. B. 715, Committee Substitute for S. B. 715, a bill to amend Article 9, Chapter 65 of the General Statutes relating to cemeteries, for concurrence in the House amendment.

On motion of Senator Harris, the Senate concurs in the House amendment and the Committee Substitute bill is ordered enrolled.

S. B. 754, a bill to create a commission to study the statewide system of State parks and to make recommendations for necessary legislation to the 1977-1978 Session of the General Assembly.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 791, a bill to limit the security deposit required by natural gas public utilities.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 797, a bill to amend G. S. 143B-267 to reorganize the Parole Commission of the Department of Correction by allowing the Governor to appoint in his discretion a commission consisting of three members, and to further define the duties of the Parole Commission and the Secretary of Correction.

On motion of Senator Jordan, duly seconded, the bill is postponed indefinitely.

S. B. 811, a bill to change the membership of the Council on Developmental Disabilities so as to conform to federal law.

On motion of Senator Hardison, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 863, a bill to prevent fradulent and deceptive practices in the sale of business opportunities.

On motion of Senator Jordan, Committee Amendments No. 1 and No. 2 are adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 869, a bill to amend Chapter 159B of the General Statutes to implement the provisions of Article V, Section 10 of the North Carolina Constitution, upon second reading.

On motion of Senator Webster, duly seconded, the bill is postponed indefinitely.

S. B. 877, a bill to amend Chapter 6, Private Laws of North Carolina 1840-1841, As Amended, pertaining to the construction, operation and financing of hospital facilities by trustees of the Rex Hospital, Raleigh, North Carolina, upon second reading.

On motion of Senator Wynne, consideration of the bill is postponed until Thursday, June 23.

S. B. 888, a bill to amend Chapter 115A of the General Statutes so as to establish specific terms of employment for presidents of institutions in the North Carolina Community College System.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 889, a bill to provide that the Lieutenant Governor and the Speaker of the House shall be ex officio members of the Advisory Budget Commission.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 893, a bill to amend Chapters 66 and 148 of the General Statutes concerning state policy on prison labor.

The bill passes its second reading.

On objection of Senator Totherow to its third reading, the bill remains on the Calendar.

S. J. R. 894, a joint resolution honoring the members of Chrysalis and the Raleigh Women's Club for their outstanding accomplishment in winning the National America-the-Beautiful-Foundation Award.

The joint resolution passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 468, Committee Substitute for H. B. 468, a bill to amend G. S. 90-297 to extend the speech and language pathologist and audiologist grandfather clause closing date and provide notice to persons who may be affected thereby.

The bill passes its second and third readings and is ordered enrolled.

H. B. 671, a bill to regulate the setting of steel traps and connibear traps in certain counties, upon third reading.

The bill passes its third reading by roll-call vote, ayes 26, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Ballenger, Britt, Combs, Daniels, Garrison, Gray, Harrington, Harris, Henley, Jordan, Kincaid, Marion, Palmer, Popkin, Rauch, Renfrow, Royall, Sharpe, Soles, Stallings, Swain, Totherow, Walker, Winters, and Wynne — 26.

The bill is ordered enrolled.

H. J. R. 811, a joint resolution continuing the Criminal Code Commission.

The joint resolution passes its second and third readings and is ordered enrolled.

H. B. 814, Committee Substitute for H. B. 814, a bill to amend the exemptions from the Lobbying Act.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 949, Committee Substitute for H. B. 949, a bill to define the responsibility for maintenance of residential rental units.

On motion of Senator Mathis, Committee Amendments No. 1 and No. 2 are adopted.

Senator Mathis offers Amendment No. 3.

Senator Mathis calls the previous question, duly seconded. The call is sustained.

Amendment No. 3 is adopted.

Senator Hardison offers Amendment No. 4.

Senator Soles moves that the Committee Substitute bill and pending Amendment No. 4 be recommitted to the **Judiciary I Committee**, which motion fails to prevail.

Amendment No. 4 fails of adoption.

Senator Allsbrook calls the previous question, duly seconded. The call is sustained.

The Committee Substitute bill, as amended, passes its second reading.

Without objection, Senator Combs is excused from voting for the stated reason: "I rent apartments."

On objection of Senator Harris to its third reading the Committee Substitute bill, as amended, remains on the Calendar.

H. B. 995, Committee Substitute for **H. B. 995**, a bill to set the speed limit for buses transporting children with special needs, as amended.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1026, a bill to amend G. S. 15-223 to make it clear that the expunction of records of convictions law does not apply to traffic violations.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1050, Senate Committee Substitute No. 2 for **H. B. 1050**, a bill to revive and improve certain provisions of Chapter 75 of the General Statutes, to protect the citizens of North Carolina from unfair, unethical, deceptive and unscrupulous business practices.

On motion of Senator Britt, the Senate Committee Substitute bill No. 2 is adopted, and on his further motion the rules are suspended and the Committee Substitute bill No. 2 remains on the Calendar for further consideration.

The Committee Substitute bill No. 2 passes its second and third readings and is ordered sent to the House of Representatives for consideration of the Senate Committee Substitute bill No. 2.

H. B. 1099, a bill to require that insurance agents of fraternal societies be subject to insurance examinations prior to licensing.

On motion of Senator Alford, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1116, a bill to amend North Carolina G. S. 76-14 to increase pilotage charges for vessels navigating the Cape Fear River and bar, upon third reading.

The bill passes its third reading by roll-call vote, ayes 38, noes 1, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Jordan, Kincaid, Lake, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Swain, Totherow, Walker, Webster, Whichard, White, and Wynne — 38.

Voting in the negative is: Senator Somers — 1.

The bill is ordered enrolled.

June 22, 1977

H. B. 1153, a bill amending Chapter 159C of the General Statutes which authorizes counties to create authorities to issue bonds to finance industrial and pollution control projects, to revise the provisions thereof relating to eligibility requirements for appointment to an authority, to the average manufacturing wage requirement for industrial projects, to the taxation of projects and tax exemption of interest on bonds, to contracts for the acquisition and construction of projects, and to conflicts of interest, to add provisions permitting the subordination of bonds to other security interests and providing that the Local Government Budget and Fiscal Control Act shall not apply to authorities, and to repeal provisions requiring an annual audit, as amended, upon third reading.

The bill, as amended, passes its third reading by roll-call vote, ayes 38, noes 1, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Jordan, Kincaid, Lake, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Swain, Totherow, Walker, Webster, Whichard, White, and Wynne — 38.

Voting in the negative is: Senator Somers — 1.

The bill, as amended, is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1200, a bill to amend Article 13B of Chapter 130 of the General Statutes to provide for penalties and remedies, upon second reading.

On motion of Senator Whichard, consideration of the bill is postponed until Friday, June 24.

H. B. 1207, a bill to further extend the time for registering grants or copies.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1223, a bill to authorize and regulate movement of structures, historical buildings, houses or other extraordinary objects on State highway system of roads, as amended, upon third reading.

The bill, as amended, passes its third reading by roll-call vote, ayes 38, noes 1, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Jordan, Kincaid, Lake, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Swain, Totherow, Walker, Webster, Whichard, White, and Wynne — 38.

Voting in the negative is: Senator Somers — 1.

The bill, as amended, is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1267, a bill to amend Article 3 of Chapter 140 and Part 15 of Article 2 of Chapter 143B of the General Statutes, concerning the North Carolina Art Society.

The bill passes its second and third readings and is ordered enrolled.

June 22, 1977

H. B. 1277, a bill to amend Article 22 of Chapter 14 of the General Statutes by adding G. S. 14-159.1 making it unlawful to alter, tamper with or bypass electric, gas or water meters; providing a presumption of intent and evidence thereof; providing penalties for violations; providing liability for damages in a civil action; providing an exemption; and providing an effective date.

On motion of Senator Allsbrook, consideration of the bill is postponed until Thursday, June 23.

H. B. 1333, a bill to secure effective enforcement of the insulation and energy utilization standards of the State Building Code and to further protect the purchasers of products and services designed to meet those standards.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1348, a bill to amend G. S. 143B-267 to reorganize the Parole Commission of the Department of Correction by allowing the Governor to appoint in his discretion a commission consisting of five members, and to further define the duties of the Parole Commission and the Secretary of Correction.

The bill passes its second and third readings and is ordered enrolled.

H. J. R. 1368, a joint resolution urging the Federal Food and Drug Administration to allow certain specially trained medical technicians to carry emergency insect sting kits and to administer epinephrine.

The joint resolution passes its second and third readings and is ordered enrolled.

H. B. 1369, a bill to amend G. S. 7A-6(c) to provide that special counsel at regional psychiatric facilities shall be included in the group of public officials who receive one copy of the advance sheets of the Appellate Division without charge.

On motion of Senator Sharpe, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1370, a bill to provide for the conservation of beaver.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1379, Committee Substitute for **H. B. 1379,** a bill to amend G. S. 7A-39.3(a), G. S. 7A-39.6, G. S. 7A-52(a), G. S. 7A-53, and G. S. 7A-4.20, relating to the recall to active service of retired justices and judges.

On motion of Senator Britt, consideration of the Committee Substitute bill is postponed until Thursday, June 23.

H. B. 1406, a bill to extend the laws relating to breaking into or damaging coin-operated vending and other machines to apply to currency-operated machines.

On motion of Senator Britt, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1448, a bill to rewrite G. S. 130-169 so as to eliminate dual inspection requirement by the Department of Agriculture and local health officials.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1475, a bill to amend Chapter 6, Private Laws of North Carolina 1840-1841, As Amended, pertaining to the construction, operation and financing of hospital facilities by trustees of the Rex Hospital, Raleigh, North Carolina.

Senator Wynne moves that the vote by which the bill passes its second reading be reconsidered, which motion prevails.

The bill is placed on the Calendar for immediate consideration, upon second reading.

The bill passes its second reading by roll-call vote, ayes 34, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Daniels, Davis, Garrison, Gray, Hardison, Henley, Jordan, Marion, Marvin, Mathis, Palmer, Popkin, Raynor, Renfrow, Royall, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Swain, Totherow, Walker, Webster, Whichard, White, and Wynne — 34.

The bill remains on the Calendar upon third reading.

H. B. 1485, a bill to amend G. S. 93A-4(a) to delete the requirement that real estate brokers be citizens of the United States.

The bill passes its second reading.

On objection of Senator Renfrow to its third reading the bill remains on the Calendar.

H. B. 1497, a bill to delete the mandatory jury requirements for damages under G. S. 75-16.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1498, a bill to amend Chapter 159B of the General Statutes to implement the provisions of Article V, Section 10 of the North Carolina Constitution, upon third reading.

The bill passes its third reading by roll-call vote, ayes 38, noes 1, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Jordan, Kincaid, Lake, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Swain, Totherow, Walker, Webster, Whichard, White, and Wynne — 38.

Voting in the negative is: Senator Somers — 1.

The bill is ordered enrolled.

H. B. 1507, a bill to authorize the Dean of the School of Law of Campbell College to appoint a member to the General Statutes Commission.

The bill passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 17, Committee Substitute for S. B. 17, an act to make appropriations to provide capital improvements for State departments, institutions, and agencies.

S. B. 237, Committee Substitute for S. B. 237, an act to promote and provide for community involvement in and use of the public schools.

S. B. 486, an act to increase public sector representation on the Mine Safety and Health Advisory Council.

S. B. 610, an act to amend G. S. 53-117 concerning the appointment by the Commissioner of Banks of state bank examiners, assistant state bank examiners, clerks and stenographers.

S. B. 654, Committee Substitute for S. B. 654, an act to reconstitute the Area Inmate Labor Commissions and the State Inmate Labor Commission.

S. B. 730, an act to extend some or all of the provisions of the Local Government Budget and Fiscal Control Act to nonprofit corporations receiving moneys from counties and cities.

S. J. R. 826, a joint resolution directing the Legislative Research Commission to study a proposed school health education project: The "Heed" Project.

S. B. 855, an act to revise and consolidate the Charter of the Town of Princeville and to repeal prior local acts.

H. B. 21, Committee Substitute for H. B. 21, an act to amend G. S. 105-277.1(a)(2) to increase annual income allowable under the Homestead Tax Exemption.

H. B. 53, Senate Committee Substitute for H. B. 53, an act to transfer the North Carolina Drug Commission to the Department of Human Resources.

H. B. 342, Committee Substitute for H. B. 342, an act to amend Chapter 18A of the General Statutes concerning the issuance of special occasion permits and the fees for such permits.

H. B. 500, Committee Substitute for H. B. 500, an act to authorize the Board of Alcoholic Control to refuse to issue retail malt beverage and wine permits.

H. B. 644, Committee Substitute for H. B. 644, an act to amend Article 18A of Chapter 90 of the General Statutes Controlling licensing of practicing psychologists.

H. B. 708, Committee Substitute for H. B. 708, an act to amend G. S. 41-2.1, right of survivorship in bank deposits created by written agreement, so as to make such deposits subject to additional claims.

H. B. 873, Committee Substitute for H. B. 873, an act to make theater employees subject to the North Carolina Minimum Wage Act and to temporarily set a $2.00 minimum for seasonal recreational employees.

H. B. 884, Committee Substitute for H. B. 884, an act to transfer North Carolina Housing Finance Agency from the Department of the Treasurer to the Department of Natural and Economic Resources and to make necessary conforming and technical changes in the General Statutes of North Carolina.

H. B. 919, an act to amend Part 2, Article 3 of Chapter 108 and G. S. 143B-153(3)c. to provide that the Department of Human Resources shall inspect and license all child-caring institutions in North Carolina except those specifically exempt.

H. B. 976, an act to amend G. S. 1A-1, Rule 55, to authorize entry of default judgement on motion.

H. B. 1073, an act to amend Chapter 18A of the General Statutes to permit the sale of wine cocktails in Grade A restaurants with on-premise wine permits.

H. B. 1179, Committee Substitute for H. B. 1179, an act to authorize the issuance of two hundred thirty-million dollars in bonds of the State to provide funds for environmental improvement through grants to units of government for construction and improvement of wastewater treatment works, wastewater collection systems and water supply systems.

H. J. R. 1253, a joint resolution honoring the life and memory of Dick O'Neal, a former member of the North Carolina General Assembly.

H. B. 1487, an act to amend Part 4 of Article 3 of Chapter 143B of the General Statutes to reorganize the Commission for Mental Health Services to include adequate representation for mentally retarded citizens.

H. B. 1519, an act to amend Chapter 469 of the 1977 Session Laws to make technical corrections.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 12:30 P.M.

ONE HUNDRED SEVENTEENTH DAY

SENATE CHAMBER,
Thursday, June 23, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"O Thou who knoweth our frame and rememberest that we are dust, look in mercy upon us this day as we address the responsibilities which have been placed upon us. If we are unable to do everything that is expected of us, help us to do well what we can do, leaving the consequences in the hands of God. For His name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Vickery for today and to Senator Winters for a portion of today's Session to attend a Public Utilities Commission meeting. The President grants a leave of absence to Senator Somers for Friday, June 23. Leaves of absence granted previously to Senators Crawford and Scott are noted.

The President announces a Joint Session of the Senate and House of Representatives to be held at 8:00 P.M., Monday, June 27, for the purpose of confirming the appointment of the Executive Director of the Public Staff of the Utilities Commission by the Governor, to be in compliance with S. B. 229, House Committee Substitute for Committee Substitute for S. B. 229, a bill to amend the General Statutes Chapter 62 to provide for a Public Staff in the Utilities Commission to represent the using and consuming public.

CONFERENCE REPORT

S. B. 756

Senator Harrington, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives on S. B. 756, a bill to rewrite G. S. 20-81 concerning the issuance of official license plates to State officials and to correct uncertainties resulting from the enactment of Chapter 865 and Chapter 432 of the 1975 Session Laws, submits the following report:

To the President of the Senate and the Speaker of the House of Representatives:

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on Senate Bill 756, "a bill to

be entitled an act to rewrite G. S. 20-81 concerning the issuance of official license plates to State officials and to correct uncertainties resulting from the enactment of Chapter 865 and Chapter 432 of the 1975 Session Laws," wish to report as follows:

The Conference Committee recommends that S. B. 756 be changed to read as follows:

Amend on Page 2, Line 14: following the word "or" and preceding the word "followed" change the word "'House'" to "'State House'".

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 23rd day of June, 1977.

J. J. HARRINGTON
JULIAN R. ALLSBROOK
KENNETH C. ROYALL, JR.
Conferees on the part of the Senate

DAVID BUMGARDNER
DANIEL A. C. HALL, JR.
THOMAS B. HUNTER
Conferees on the part of the House of Representatives

On motion of Senator Harrington, the Conference Report is adopted and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following special messages are received from the House of Representatives:

S. B. 756

HOUSE OF REPRESENTATIVES
June 23, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on S. B. 756, a bill to rewrite G. S. 20-81 concerning the issuance of official license plates to State officials and to correct uncertainties resulting from the enactment of Chapter 865 and Chapter 432 of the 1975 Session Laws, to the end that when a similar action has been taken on the part of the Senate, you may order the bill enrolled.

Respectfully,
GRACE A. COLLINS
Principal Clerk

The bill is ordered enrolled.

H. B. 1389

HOUSE OF REPRESENTATIVES
June 23, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on H. B. 1389, a bill to control noise pollution from speedboats with engines capable of producing in excess of 4000 RPM's, to the end that when a

similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,
GRACE A. COLLINS
Principal Clerk

CONFERENCE REPORT

H. B. 1389

Senator Daniels for the Conferees appointed to consider the differences arising between the Senate and House of Representatives upon **H. B. 1389**, a bill to control noise pollution from speedboats with engines capable of producing in excess of 4000 RPM's, submits the following report:
To the President of the Senate and the Speaker of the House of Representatives:

We, the Conferees appointed to consider and resolve the differences between the two bodies with respect to **H. B. 1389**, a bill to control noise pollution from speedboats with engines capable of producing in excess of 4000 RPM's, respectfully report that we have conferred and agreed as follows:

To amend page 1, line 18, by deleting the quotation marks and adding the following new sentence after the period: This act shall not apply to licensed commercial fishing boats.

And to this end, we the said Conferees, recommend that the House of Representatives and the Senate adopt this Conference Report.

MELVIN R. DANIELS
WILLIAM G. SMITH
JAMES D. SPEED
Conferees on the part of the Senate

E. GRAHAM BELL
JOHN ED DAVENPORT
PATRICIA HUNT
Conferees on the part of the House of Representatives

On motion of Senator Daniels, the Conference Report is adopted and a message is ordered sent to the House of Representatives notifying that Honorable Body of such action.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Lawing for the **Banking Committee**:

S. B. 895, a bill to amend G. S. 53-128 and G. S. 54-44 concerning derogatory statements of financial condition of banks or building and loan associations, with a favorable report.

H. B. 1411, a bill to include the word "commitment" in the preamble to G. S. 24-1.1 and to add said preamble to G. S. 24-1.2, with a favorable report, as amended.

June 23, 1977

H. B. 1468, a bill to state the interest rate ceiling on certain small business loans and certain loans secured by property used for nonprofit purposes, with a favorable report.

By Senator Rauch for the **Finance Committee:**

S. B. 596, House Committee Substitute for S. B. 596, a bill to exempt for inclusion in gross estate for inheritance tax purposes the first three thousand dollars of gifts made within three years of donor's death, with a favorable report.

On motion of Senator Rauch, the House Committee Substitute bill is re-referred to the **Ways and Means Committee.**

S. B. 819, a bill to allow the Secretary of Human Resources to set the amounts of fees collected for certified copies of certain vital statistics records, and to set the amounts of fees for public water supply examinations, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Rauch, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

S. B. 876, a bill to rewrite the entry requirements for opticians, with a favorable report, as amended.

S. B. 892, a bill to amend G. S. 105-60, day-care facilities privilege license tax, with a favorable report, as amended.

On motion of Senator Rauch the bill is re-referred to the **Ways and Means Committee.**

S. B. 897, a bill to provide an additional tax exemption for persons having chronic irreversible renal disease, with a favorable report.

On motion of Senator Rauch, the bill is re-referred to the **Ways and Means Committee.**

S. B. 905, a bill to amend G. S. 157-3(12) relative to the definition of housing project, with a favorable report, as amended.

S. B. 906, a bill to amend G. S. 20-42 pertaining to acknowledgements of signatures by employees of the Division of Motor Vehicles, with a favorable report.

H. B. 926, a bill to create a special waterfowl hunting license and to increase the Migratory Waterfowl Conservation Program, with a favorable report.

H. B. 1036, a bill to provide a one thousand dollar exemption from income tax for individuals who are deaf, with a favorable report.

On motion of Senator Rauch, the bill is re-referred to the **Ways and Means Committee.**

H. B. 1124, a bill to amend Article 24A of Chapter 58 of the General Statutes relating to mutual burial associations, with a favorable report.

H. B. 1197, a bill to increase the nonresident hunting license fee and nonresident six-day hunting license fee, with a favorable report.

H. B. 1254, a bill to amend the fees for registration of land titles, with a favorable report.

H. B. 1479, a bill to require individuals engaged in commercial fishing operations in a vessel owned by another to be eligible for commercial fishing licenses in their own right, with a favorable report.

By Senator Harris for the **Human Resources Committee:**

H. B. 1499, a bill to amend G. S. 122-56.7 to require that notice be given to the parent or guardian of a minor or a person adjudicated non compos mentis, with a favorable report.

By Senator Britt for the **Judiciary II Committee:**

S. B. 142, House Committee Substitute for Senate Committee Substitute for **S. B. 142,** a bill to amend the Guardianship Laws, with a favorable report.

On motion of Senator Britt, the rules are suspended, and the House Committee Substitute bill is placed on today's Calendar.

H. B. 432, Committee Substitute for **H. B. 432,** a bill to make unlawful the alteration, destruction, or removal of serial numbers or other permanent identification marks from personal property and to make unlawful the sale, purchase or possession of property on which the serial number or permanent identification mark has been so altered, destroyed, or removed; and set the punishment therefor, with a favorable report.

H. B. 1372, Committee Substitute for **H. B. 1372,** a bill to provide a dismissal-with-leave procedure for fugitives who flee the jurisdiction of the court, with a favorable report.

H. B. 1398, Committee Substitute for **H. B. 1398,** a bill to amend the General Statutes relating to the time at which claim and delivery may be sought, with a favorable report.

By Senator Raynor for the **Law Enforcement and Crime Control Committee:**

H. B. 1160, a bill to allow an increase in the percentage of supervisory personnel in the State Highway Patrol from eighteen percent to twenty-one percent, wtih a favorable report.

By Senator Soles for the **Local Government and Regional Affairs Committee:**

H. B. 1358, a bill to amend G. S. 66-58 to provide that vocational educational nursery classes may sell bedding plants grown as a part of the programs, with an unfavorable report as to bill, favorable as to Senate Committee Substitute bill.

On motion of Senator Soles, the rules are suspended, and the Senate Committee Substitute bill is placed on today's Calendar.

By Senator Henley for the **Rules and Operation of the Senate Committee:**

S. J. R. 896, a joint resolution creating a commission to study the authorization for and use of office and clerical personnel within the primary and

secondary school systems of North Carolina, with an unfavorable report as to joint resolution, favorable as to Committee Substitute joint resolution.

On motion of Senator Henley, the rules are suspended, and the Committee Substitute joint resolution is placed on today's Calendar.

By Senator Harrington for the **Transportation Committee:**

H. B. 1512, a bill to clarify Chapter 460 of the 1977 Session Laws relating to the authority of the Department of Transportation to condemn real property, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Childers:

S. B. 910, a bill authorizing the State treasurer to establish a pool account for local governments to fund unemployment compensation liability.

Referred to **Manufacturing, Labor and Commerce Committee.**

By Senators Lawing, McDuffie, Mathis, and Alexander:

S. B. 911, a bill to amend the worthless checks statute.

Referred to **Judiciary II Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 204, Committee Substitute for **S. B. 204,** a bill to create a new Chapter 78B concerning tender offers, for concurrence in the House amendment which is placed on the Calendar for immediate consideration.

Senator Britt moves that the President appoint conferees, which motion prevails. The President appoints Senators Britt, Davis, and Alford as conferees on the part of the Senate and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

S. B. 359, a bill to rewrite G. S. 29-21 and G. S. 29-22 to recognize inheritance rights of the father of an illegitimate intestate as provided for in G. S. 29-19, for concurrence in the House amendment which is placed on the Calendar for Friday, June 24.

H. B. 496, Committee Substitute for **H. B. 496,** a bill to insure financial privacy.

Referred to **Banking Committee**

H. B. 504, Committee Substitute for **H. B. 504,** a bill to amend Chapter 39 of the General Statutes relating to conveyances, to allow conveyances of real property to or by a business trust.

Referred to **Judiciary II Committee.**

H. J. R. 512, Committee Substitute for **H. J. R. 512,** a joint resolution to provide for a study of faculty work load and tenure in the University of North Carolina.

Referred to **Rules and Operation of the Senate Committee.**

H. B. 712, a bill to amend the Charter of the Town of Cary.

Referred to **Local Government and Regional Affairs Committee.**

H. B. 878, a bill to increase representation on the North Carolina Board of Boiler and Pressure Vessels Rules.

Referred to **Manufacturing, Labor and Commerce Committee.**

H. B. 904, a bill to provide for videotaping of depositions.

Referred to **Judiciary II Committee.**

H. B. 1003, Committee Substitute for **H. B. 1003,** a bill to promote and encourage the conservation of energy by providing a tax credit for installation of solar hot water, heating and cooling systems, by providing a tax credit for installation of home insulation, storm windows and storm doors, by managing and controlling energy use by improved enforcement of the State Building Code insulation requirements, by reporting of available petroleum supplies, and by prohibiting the use of master meters for electricity and natural gas in new multi-unit residential dwelling units.

On motion of Senator Childers, the rules are suspended, and the Committee Substitute bill is placed on the Calendar for Friday, June 24.

H. B. 1139, a bill to make certain dangerous activities at athletic contests and sports events a misdemeanor.

Referred to **Judiciary II Committee.**

H. B. 1336, a bill to repeal G. S. 1-182 relating to putting jury instructions in writing in criminal actions.

Referred to **Judiciary II Committee.**

H. B. 1359, a bill to amend Chapter 127A of the General Statutes to provide for the awarding of civilian service medals and awards for services rendered to the North Carolina National Guard.

Referred to **Judiciary II Committee.**

H. B. 1365, a bill to amend G. S. 14-306 as it relates to arcade amusement machines and devices.

Referred to **Finance Committee.**

H. B. 1493, a bill to amend provisions of Chapter 160A of the General Statutes to eliminate inconsistencies, clarify provisions, and improve administrative procedures.

Referred to **Local Government and Regional Affairs Committee.**

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following special messages are received from the House of Representatives:

June 23, 1977

H. B. 1510

H. B. 1510, a bill to amend the State-County Special Assistance for Adults Program established by G. S. 108-62 to make county participation mandatory with respect to eligible persons in domiciliary care needing supplemental payments.

Referred to **Human Resources Committee.**

S. B. 204, Committee Substitute for **S. B. 204**

HOUSE OF REPRESENTATIVES
June 23, 1977

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Amendment to **S. B. 204**, Committee Substitute for **S. B. 204**, a bill to create a new Chapter 78B concerning tender offers, the Speaker has appointed as conferees on the part of the House, Representatives McMillan, Charles Holt, and Quinn to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,
GRACE A. COLLINS
Principal Clerk

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 142, House Committee Substitute for Committee Substitute for **S. B. 142**, a bill to amend the Guardianship Laws.

The House Committee Substitute bill passes its second and third readings and is ordered enrolled.

S. B. 155, a bill to authorize local boards of alcoholic control to enter into interlocal agreements.

On motion of Senator Soles, duly seconded, the bill is postponed indefinitely.

S. B. 249, a bill to grant the City of Greenville alternative condemnation procedures.

On motion of Senator White, duly seconded, the bill is postponed indefinitely.

S. B. 318, Committee Substitute for **S. B. 318**, a bill providing for mandatory prison confinement for persons convicted of armed robbery or burglary.

The Committee Substitute bill passes its second reading.

On objection of Senator Swain to its third reading the Committee Substitute bill remains on the Calendar.

S. B. 598, Committee Substitute for S. B. 598, a bill to grant executor or trustee discretion to make distributions in cash or kind, without regard to federal income tax basis, for concurrence in the House amendment.

On motion of Senator Hill, the Senate concurs in the House amendment and the Committee Substitute bill is ordered enrolled.

S. J. R. 599, a joint resolution urging the government of the United States to maintain its diplomatic relations and the Mutual Defense Treaty with the Republic of China; and for other purposes, as amended, for concurrence in the House amendment.

On motion of Senator Henley, the Senate concurs in the House amendment and the joint resolution is ordered enrolled.

S. B. 731, a bill to amend G. S. 108-45, relating to the confidentiality of records of the Department of Human Resources and county social service departments, as amended.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 757, House Committee Substitute for S. B. 757, a bill to amend certain provisions of the law relating to the Battleship Commission.

The House Committee Substitute bill passes its second and third readings and is ordered enrolled.

S. B. 819, Committee Substitute for S. B. 819, a bill to amend the General Statutes relating to fees charged for vital records services in order to recover the actual cost of the services.

On motion of Senator Rauch, the Committee Substitute bill is adopted, and on his further motion is re-referred to the **Ways and Means Committee.**

S. J. R. 830, Committee Substitute for S. J. R. 830, a joint resolution directing the Legislative Research Commission to make a study to determine the feasibility of providing a tax shelter for employee contributions to the Teachers' and State Employees' Retirement System of North Carolina.

The Committee Substitute joint resolution passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 837, a bill to establish a statute of limitations for actions alleging deprivation of rights under color of State law.

On motion of Senator Barnes, Committee Amendment No. 1 is adopted.

On motion of Senator Barnes, consideration of the bill, as amended, is postponed until Friday, June 24.

S. B. 838, a bill to establish a statute of limitations for actions alleging unlawful discrimination employment practices.

On motion of Senator Barnes, consideration of the bill is postponed until Friday, June 24.

S. B. 877, a bill to amend Chapter 6, Private Laws of North Carolina 1840-1841, As Amended, pertaining to the construction, operation and financing of hospital facilities by trustees of the Rex Hospital, Raleigh, North Carolina, upon second reading.

June 23, 1977

On motion of Senator Wynne, duly seconded, the bill is postponed indefinitely.

S. B. 882, Committee Substitute for S. B. 882, a bill to make the Lieutenant Governor the Chairman of the Joint Legislative Commission on Governmental Operations.

The Committee Substitute bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 890, a bill to increase the size of the Carteret County Board of Alcoholic Control from three members to five members.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 893, a bill to amend Chapters 66 and 148 of the General Statutes concerning State policy on prison labor, upon third reading.

Senator Royall offers Amendment No. 1. Senator Royall calls the previous question, duly seconded. The call is sustained. Amendment No. 1 is adopted.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the House of Representatives.

S. J. R. 896, Committee Substitute for S. J. R. 896, a joint resolution directing the Legislative Research Commission to study the authorization for, and use of, office and clerical personnel within the primary and secondary school systems of North Carolina.

On motion of Senator Henley, the Committee Substitute joint resolution is adopted, and on his further motion is placed on the Calendar for Monday, June 27.

S. B. 900, a bill to provide for appointment of members to the Pamlico County Board of Alcoholic Control by the Pamlico County Board of County Commissioners.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 901, a bill to amend Article 3 of Chapter 135 of the General Statutes to provide a contributory medical and hospital benefit care plan for employees and former employees of the General Assembly, their spouses, and dependents to be administered by the Board of Trustees of the Retirement System.

On motion of Senator Whichard, the bill is recommitted to the State Government Committee.

S. B. 903, a bill to amend G. S. 143-480 and G. S. 143B-137 concerning the policy of addressing problems through prevention.

The bill passes its second reading.

Senator Smith of Guilford offers Amendment No. 1 which is adopted.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the House of Representatives.

S. J. R. 907, a joint resolution directing the State Coordinating Council to study the cost of reducing infant mortality in North Carolina.

On motion of Senator Lawing, Committee Amendment No. 1 is adopted.

The joint resolution, as amended, passes its second and third readings and is ordered, wtihout objection, sent to the House of Representatives by special messenger, without engrossment.

H. B. 149, a bill to amend G. S. 163-211 to increase the per diem and mileage compensation provided presidential electors meeting in the City of Raleigh.

On motion of Senator Royall, the bill is re-referred to the **Appropriations Committee.**

H. B. 325, a bill to amend G. S. 14-162 to delete any reference to removal of personal property from any boat or landing and to increase the penalty for the trespass.

The bill passes its second and third readings and is ordered enrolled.

H. B. 356, Committee Substitute for **H. B. 356**, a bill to amend Chapter 7A of the General Statutes pertaining to the judicial procedure applicable to juveniles to allow the appointment of an attorney as guardian ad litem for any child alleged to be neglected.

Senator Whichard offers Amendment No. 1 which is adopted.

Senator Whichard offers Amendment No. 2 which is adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendments.

H. B. 440, Committee Substitute for **H. B. 440**, a bill to require special permits for movement on public roads in Mitchell and Avery Counties of mobile or modular homes of a width in excess of 12 feet and further to prohibit such movement on certain designated public roads in those Counties, upon second reading.

On motion of Senator Barnes, Committee Amendment No. 1 is adopted.

The Committee Substitute bill, as amended, passes its second reading by roll-call vote, ayes 34, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Combs, Daniels, Davis, Garrison, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Marion, McDuffie, Palmer, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of New Hanover, Soles, Somers, Stallings, Swain, Walker, Whichard, White, Winters, and Wynne — 34.

The Committee Substitute bill, as amended, remains on the Calendar upon third reading.

H. B. 463, a bill to grant the City of Greenville alternative condemnation procedures.

The bill passes its second and third readings and is ordered enrolled.

H. B. 658, Committee Substitute for H. B. 658, a bill to repeal Articles 13, 13A, 13B, and 25 of General Statutes Chapter 58 relating to the Fire Insurance Rating Bureau, fire and casualty insurance rate regulations, and regulation of automobile liability insurance rates; to provide a new method of rate regulation; and to amend Chapters 58 and 97 to consolidate the functions of the Fire Insurance Rating Bureau, the Compensation Rating and Inspection Bureau, and the Automobile Rate Administrative Office; and to assure the proper operation of the North Carolina Reinsurance Facility on a sustaining but nonprofit basis, as amended, upon third reading.

Senator Swain offers Amendment No. 15 which fails of adoption.

Senator Smith of Guilford offers Amendment No. 16 to amend Committee Amendment No. 2. Senator Totherow calls the previous question, duly seconded. The call is sustained. Amendment No. 16, to amend Committee Amendment No. 2, fails of adoption.

Senator Totherow calls the previous question, duly seconded. The call is sustained.

The Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 27, noes 17, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Barnes, Britt, Garrison, Hardison, Henley, Hill, Jordan, Kincaid, Lawing, Marion, Mathis, McDuffie, Palmer, Popkin, Renfrow, Royall, Smith of New Hanover, Somers, Speed, Stallings, Totherow, Webster, Whichard, White, and Wynne — 27.

Those voting in the negative are: Senators Alexander, Ballenger, Childers, Combs, Daniels, Gray, Harrington, Harris, Marvin, Rauch, Raynor, Sharpe, Smith of Guilford, Soles, Swain, Walker, and Winters — 17.

The Committee Substitute bill, as amended, is ordered, without objection, sent to the House of Representatives for concurrence in the Senate amendments by special messenger.

H. B. 714, Committee Substitute for H. B. 714, a bill to revise and consolidate the Charter of the Town of Spring Lake and to repeal prior local acts, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 34, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Combs, Daniels, Davis, Garrison, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Marion, McDuffie, Palmer, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of New Hanover, Soles, Somers, Stallings, Swain, Walker, Whichard, White, Winters, and Wynne — 34.

The Committee Substitute bill remains on the Calendar upon third reading.

H. B. 782, Committee Substitute for H. B. 782, a bill to revise and consolidate the Charter of the City of Concord and to repeal prior local acts, upon second reading.

The bill passes its second reading by roll-call vote, ayes 34, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Combs, Daniels, Davis, Garrison, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Marion, McDuffie, Palmer, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of New Hanover, Soles, Somers, Stallings, Swain, Walker, Whichard, White, Winters, and Wynne — 34.

The Committee Substitute bill remains on the Calendar upon third reading.

H. B. 808, a bill to amend G. S. 148-45(e) to provide that a sentence for escape shall commence at termination of any other sentences.

Senator Smith of Guilford moves that Senate Rule 53 be suspended to the end that the bill, identical to S. B. 521 postponed indefinitely on June 2, be considered, which motion prevails.

The bill passes its second reading.

On objection of Senator Swain to its third reading the bill remains on the Calendar.

H. B. 882, a bill to authorize the holding of a malt beverage and unfortified wine election in the Town of Rural Hall.

The bill passes its second and third readings and is ordered enrolled.

H. B. 949, Committee Substitute for H. B. 949, a bill to define the responsibility for maintenance of residential rental units, as amended, upon third reading.

Senator Mathis offers Amendment No. 5 which is adopted.

Senator Alexander offers Amendment No. 6 to amend Committee Amendment No. 2, which is adopted.

The Committee Substitute bill, as amended, passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate amendments.

H. B. 971, a bill to increase nonresident big game hunting license fee, upon second reading.

The bill passes its second reading by roll-call vote, ayes 36, noes 2, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Lawing, Marvin, Mathis, McDuffie, Palmer, Rauch, Royall, Sharpe, Smith of New Hanover, Soles, Somers, Swain, Totherow, Walker, Webster, Whichard, White, and Wynne — 36.

Those voting in the negative are: Senators Popkin and Renfrow — 2.

The bill remains on the Calendar upon third reading.

H. B. 975, Committee Substitute for H. B. 975, a bill to rewrite Chapter 83 of the General Statutes as Chapter 83A relating to architects, upon second reading.

On motion of Senator Soles, Committee Amendment No. 1 is adopted.

On motion of Senator Jordan, consideration of the Committee Substitute bill, as amended, is postponed until Friday, June 24.

H. B. 1121, a bill to amend Chapter 133 of the General Statutes entitled Public Works.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1133, Committee Substitute for **H. B. 1133**, a bill to permit turns through medians by State highway patrolmen.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 1183, a bill to provide for special treatment of all youthful offenders and establish special parole consideration for committed youthful offenders.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1184, Senate Committee Substitute for **H. B. 1184**, a bill repealing Chapter 166 of the North Carolina General Statutes, entitled, "North Carolina Civil Preparedness Act of 1951" and enacting a new Chapter 166A in lieu thereof relating to civil preparedness.

The Senate Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives for consideration of the Senate Committee Substitute bill.

H. B. 1213, a bill to require participation of the Office of the Attorney General in the award of State contractual services contracts in excess of one hundred thousand dollars.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1214, a bill to provide for the issuance of special registration plates for members of fire departments and rescue squads, upon second reading.

Senator Harrington offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading by roll-call vote, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Davis, Garrison, Hardison, Harrington, Harris, Henley, Jordan, Kincaid, Marion, Marvin, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Swain, Walker, Webster, Whichard, White, Winters, and Wynne — 36.

The bill, as amended, remains on the Calendar upon third reading.

H. B. 1240, Committee Substitute for **H. B. 1240**, a bill to reenact G. S. 10-12, G. S. 10-13 and G. S. 31-31.1 to validate certain acts performed by notaries public since 1973.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 1263, a bill to revise the Municipal Service District Act of 1973, upon second reading.

On motion of Senator Rauch, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading by roll-call vote, ayes 37, noes 1, as follows:

Those voting in the affirmative are: Senators Alexander, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray,

Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Marion, Marvin, Mathis, Palmer, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of New Hanover, Soles, Somers, Swain, Walker, Webster, Whichard, White, Winters, and Wynne — 37.

Voting in the negative is: Senator Popkin — 1.

The bill, as amended, remains on the Calendar upon third reading.

H. B. 1277, a bill to amend Article 22 of Chapter 14 of the General Statutes by adding G. S. 14-159.1 making it unlawful to alter, tamper with or bypass electric, gas or water meters; providing a presumption of intent and evidence thereof; providing penalties for violations; providing liability for damages in a civil action; providing an exemption; and providing an effective date.

Senator Barnes offers Amendment No. 1 which fails of adoption.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1297, a bill to add a new Section G. S. 1-42.4 to extinguish ancient mineral claims in Ashe County and to require that oil, gas and mineral interests within Ashe County be recorded and listed for taxation, upon second reading.

The bill passes its second reading by roll-call vote, ayes 34, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Combs, Daniels, Davis, Garrison, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Marion, McDuffie, Palmer, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of New Hanover, Soles, Somers, Stallings, Swain, Walker, Whichard, White, Winters, and Wynne — 34.

The bill remains on the Calendar upon third reading.

H. B. 1358, Senate Committee Substitute for **H. B. 1358**, a bill to amend G. S. 66-58 to provide that vocational educational nursery classes may sell bedding plants grown as a part of the programs.

On motion of Senator Soles, the Senate Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Monday, June 27.

H. B. 1362, a bill to amend G. S. 163-288.1 relating to city voters in annexed territory, upon second reading.

The bill passes its second reading by roll-call vote, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Allsbrook, Barnes, Britt, Childers, Daniels, Davis, Garrison, Gray, Harrington, Harris, Henley, Hill, Jordan, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Renfrow, Royall, Sharpe, Soles, Somers, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 36.

The bill remains on the Calendar upon third reading.

H. B. 1379, Committee Substitute for **H. B. 1379**, a bill to amend G. S. 7A-39.3(a), G. S. 7A-39.6, G. S. 7A-52(a), G. S. 7A-53, and G. S. 7A-4.20, relating to the recall to active service of retired justices and judges.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 1388, a bill to amend Chapter 185, Private Laws of 1929 relating to the tax collector and treasurer of the Town of Vanceboro.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1400, a bill to amend Article 5A of Chapter 122 to provide for involuntary commitment of mentally ill persons to the psychiatric service of the North Carolina Memorial Hospital, and to repeal Article 7 of Chapter 122.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1401, a bill to clarify the identity of the licensing authority of mental health facilities.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1475, a bill to amend Chapter 6, Private Laws of North Carolina 1840-1841, As Amended, pertaining to the construction, operation and financing of hospital facilities by trustees of the Rex Hospital, Raleigh, North Carolina, upon third reading.

The bill passes its third reading by roll-call vote, ayes 37, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Soles, Somers, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 37.

The bill is ordered enrolled.

H. B. 1485, a bill to amend G. S. 93A-4(a) to delete the requirement that real estate brokers be citizens of the United States, upon third reading.

Senator Lawing offers Amendment No. 1 which is adopted.

The bill, as amended, passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

CONFERENCE REPORT

S. B. 204, Committee
Substitute for S. B. 204 June 23, 1977

Senator Davis, for the Conferees appointed to consider the differences arising between the Senate and House of Representatives upon S. B. 204, Committee Substitute for S. B. 204, a bill to create a new Chapter 78B concerning tender offers, submits the following report:

To the President of the Senate and the Speaker of the House of Representatives:

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on S. B. 204, Committee Substitute for S. B. 204, a bill to create a new Chapter 78B concerning tender offers, wish to report as follows:

June 23, 1977

All Conferees have agreed that the second paragraph of House Amendment No. 2 changing the effective date on page 18, line 26 should be and is hereby deleted.

E. LAWRENCE DAVIS
LUTHER BRITT
DALLAS ALFORD
Conferees on the part of the Senate

WILLIAM MCMILLAN
DWIGHT QUINN
CHARLES HOLT
Conferees on the part of the House of Representatives

On motion of Senator Davis the Conference Report is adopted and a message is ordered sent to the House of Representatives notifying that Honorable Body of such action.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 144, Committee Substitute for **S. B. 144,** an act to amend Article 25A of Chapter 58 of the General Statutes to require the reinsurance facility to provide additional ceding privileges for motor vehicle liability insurance.

S. B. 239, Committee Substitute for **S. B. 239,** an act to amend the laws relating to criminal procedure.

S. B. 334, Committee Substitute for **S. B. 334,** an act to establish a system for the periodic review and for the termination, continuation, or re-establishment of certain licensing and regulatory agencies.

S. B. 360, House Committee Substitute for **S. B. 360,** an act to amend the law relating to parents' right to dispose of custody and tuition of minor children by will.

S. B. 361, an act to amend G. S. 33-67 by changing the term "mother" to "other parent."

S. B. 709, Committee Substitute for **S. B. 709,** an act to amend G. S. 66-58 relating to the sale of merchandise by State governmental units.

S. B. 715, Committee Substitute for **S. B. 715,** an act to amend Article 9, Chapter 65 of the General Statutes relating to cemeteries.

S. B. 861, an act to create Wendell-Knightdale Airport Authority.

H. B. 100, Committee Substitute for **H. B. 100,** an act to amend the Constitution of North Carolina to insure the continuation of the policy of a balanced budget.

H. B. 445, Committee Substitute for **H. B. 445,** an act to provide for the fixing of utility rates in North Carolina based upon the reasonable original cost of the property of the public utility used and useful in providing service to the public.

H. B. 468, Committee Substitute for **H. B. 468,** an act to amend G. S. 90-297 to extend the speech and language pathologist and audiologist grandfather clause closing date and provide notice to persons who may be affected thereby.

H. B. 470, Committee Substitute for **H. B. 470,** an act to amend G. S. 18A-35 to allow local government units to regulate the public consumption of malt beverages and wine.

H. B. 550, an act to amend G. S. 143B-182 and G. S. 143B-183 to modify the State Mental Health Council for the purpose of meeting requirements set by federal authorities as a condition to receiving federal aid.

H. B. 671, an act to regulate the setting of steel traps and connibear traps in certain counties.

H. B. 719, Committee Substitute for **H. B. 719,** an act to amend Article 4 of Chapter 122 of the General Statutes to protect the privacy of minors voluntarily admitted to a treatment facility by making the court record of admission confidential.

H. J. R. 811, a joint resolution continuing the Criminal Code Commission.

H. B. 814, Committee Substitute for **H. B. 814,** an act to amend the exemptions from the Lobbying Act.

H. B. 998, Senate Committee Substitute for **H. B. 998,** an act amending G. S. 24-14 relating to loans secured by secondary or junior mortgages.

H. B. 1026, an act to amend G. S. 15-223 to make it clear that the expunction of records of convictions law does not apply to traffic violations.

H. B. 1116, an act to amend North Carolina G. S. 76-14 to increase pilotage charges for vessels navigating the Cape Fear River and bar.

H. B. 1207, an act to further extend the time for registering grants or copies.

H. B. 1266, Committee Substitute for **H. B. 1266,** an act to provide that all sessions of Superior and District Court of Brunswick Court shall be held in the new county seat of Brunswick County.

H. B. 1267, an act to amend Article 3 of Chapter 140 and Part 15 of Article 2 of Chapter 143B of the General Statutes, concerning the North Carolina Art Society.

June 23, 1977

H. B. 1333, an act to secure effective enforcement of the insulation and energy utilization standards of the State Building Code and to further protect the purchasers of products and services designed to meet those standards.

H. B. 1348, an act to amend G. S. 143B-267 to reorganize the Parole Commission of the Department of Correction by allowing the Governor to appoint in his discretion a commission consisting of five members, and to further define the duties of the Parole Commission and the Secretary of Correction.

H. J. R. 1368, a joint resolution urging the Federal Food and Drug Administration to allow certain specially trained medical technicians to carry emergency insect sting kits and to administer epinephrine.

H. B. 1370, an act to provide for the conservation of beaver.

H. B. 1448, an act to rewrite G. S. 130-169 so as to eliminate dual inspection requirement by the Department of Agriculture and local health officials.

H. B. 1497, an act to delete the mandatory jury requirements for damages under G. S. 75-16.

H. B. 1498, an act to amend Chapter 159B of the General Statutes to implement the provisions of Article V, Section 10 of the North Carolina Constitution.

H. B. 1507, an act to authorize the Dean of the School of Law of Campbell College to appoint a member to the General Statutes Commission.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 10:00 A.M.

ONE HUNDRED EIGHTEENTH DAY

SENATE CHAMBER,
Friday, June 24, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Reverend R. Dean Ramey, Minister of Saint John's Baptist Church, Raleigh.

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator McDuffie for today. Leaves of absence granted previously to Senators Scott, Crawford, and Somers are noted.

Miss North Carolina of 1978, Miss Kathy Fleming from Yadkin County, is extended courtesies of the floor by the President. On motion of Senator Combs, the rules are suspended to allow the Yadkin County delegation, Senators Combs and Ballenger, to escort Miss North Carolina to the Well of the Senate where Miss Fleming briefly addresses the Senate expressing appreciation for the courtesies extended her.

H. B. 496, Committee Substitute for **H. B. 496**, a bill to insure financial privacy.

On motion of Senator Lawing, the rules are suspended, and the Committee Substitute bill is taken from the **Banking Committee** and re-referred to the **Finance Committee.**

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hardison for the **Appropriations Committee:**

H. B. 1119, a bill to reorganize the Department of Natural and Economic Resources as the Department of Natural Resources and Community Development; to create a North Carolina Employment and Training Council in the Department of Natural Resources and Community Development; and to make necessary conforming changes, with a favorable report, as amended.

On motion of Senator Hardison, the rules are suspended and the bill is placed on today's Calendar.

By Senator Britt for the **Judiciary II Committee:**

S. B. 911, a bill to amend the worthless checks statute, with a favorable report.

On motion of Senator Britt, the rules are suspended, and the bill is placed on today's Calendar.

H. B. 504, Committee Substitute for **H. B. 504**, a bill to amend Chapter 39 of the General Statutes relating to conveyances, to allow conveyances of real property to or by a business trust, with a favorable report.

H. B. 576, Committee Substitute for **H. B. 576**, a bill providing for mandatory prison confinement for persons convicted of armed robbery, with a favorable report.

H. B. 718, Committee Substitute for **H. B. 718**, a bill to insure the speedy trial of persons charged with criminal offenses, with a favorable report, as amended.

H. B. 904, a bill to provide for videotaping of depositions, with a favorable report.

H. B. 1139, a bill to make certain dangerous activities at athletic contests and sports events a misdemeanor, with a favorable report.

H. B. 1336, a bill to repeal G. S. 1-182 relating to putting jury instructions in writing in criminal actions, with a favorable report.

By Senator Childers for the **Manufacturing, Labor and Commerce Committee:**

S. B. 410, a bill to amend the Workmen's Compensation Act with respect to benefits for permanent and total disability, without prejudice.

On motion of Senator Childers, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 910, a bill authorizing the State Treasurer to establish a pool account for local governments to fund unemployment compensation liability, with a favorable report.

H. B. 878, a bill to increase representation on the North Carolina Board of Boiler and Pressure Vessels Rules, with a favorable report, as amended.

By Senator Henley for the **Rules and Operation of the Senate Committee:**

H. J. R. 563, a joint resolution directing the Legislative Research Commission to study the property tax on business inventories, with a favorable report, as amended.

H. J. R. 1459, a joint resolution requesting the State Board of Education to encourage local school administrative units to provide first aid training for school personnel and students in the high schools, with a favorable report.

By Senator Royall for the **Special Committee on Ways and Means:**

H. B. 1201, a bill to rewrite the Solid Waste Management Act, with a favorable report, as amended.

H. B. 1515, a bill to transfer the Commission of Indian Affairs to the Department of Administration, with an unfavorable report as to bill, favorable as to Senate Committee Substitute bill.

On motion of Senator Royall, the rules are suspended, and the Senate Committee Substitute bill is placed on today's Calendar.

By Senator Combs for the **Wildlife Committee:**

S. B. 110, House Committee Substitute for Senate Committee Substitute No. 1 for **S. B. 110,** a bill to prohibit setting or using traps of leg-gripping, steel jawed or connibear type for the capturing of animals or birds in North Carolina, with a favorable report, as amended.

H. B. 1337, a bill to prevent killing cougars and to establish a penalty for violation, with a favorable report.

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SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following special messages are received from the House of Representatives:

S. B. 204, Committee Substitute for S. B. 204

HOUSE OF REPRESENTATIVES
June 23, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on S. B. 204, Committee Substitute for S. B. 204, a bill to create a new Chapter 78B concerning tender offers, to the end that when a similar action has been taken on the part of the Senate, you may order the bill enrolled.

Respectfully,
GRACE A. COLLINS
Principal Clerk

The bill is ordered enrolled.

H. B. 974, Committee Substitute for H. B. 974

HOUSE OF REPRESENTATIVES
June 23, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate amendment to H. B. 974, Committee Substitute for H. B. 974, a bill to amend Section 135-4 of the General Statutes relating to creditable service in the retirement system, and requests conferees. The Speaker has appointed Representatives Cook, Joe Johnson, and Edwards on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,
GRACE A. COLLINS
Principal Clerk

Senator Henley moves that the President appoint conferees, which motion prevails. The President appoints Senators Henley, Whichard, and Jordan as conferees on the part of the Senate and a message is orderd sent to the House of Representatives informing that Honorable Body of such action.

H. B. 995, Committee Substitute for H. B. 995

HOUSE OF REPRESENTATIVES
June 24, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate amendment to H. B. 995, Committee Substitute for H. B. 995, a bill to set the speed limit

for buses transporting children with special needs, and requests conferees. The Speaker has appointed Representatives Schwartz, Hunt, and Auman on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,
GRACE A. COLLINS
Principal Clerk

Senator Britt moves that the President appoint conferees, which motion prevails. The President appoints Senators Britt, Hill, and Harris as conferees on the part of the Senate and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 425, Committee Substitute for **H. B. 425,** a bill to provide litter control and cleanup, resource recovery, and solid waste management; and to provide for a litter license tax.
Referred to **Finance Committee.**

H. B. 956, Committee Substitute for **H. B. 956,** a bill to make certain technical amendments to the State Personnel Act.
Referred to **Special Committee on Ways and Means.**

H. B. 1038, a bill to authorize the public schools and State Board of Education to transport children with special needs to approved school programs.
Referred to **Special Committee on Ways and Means.**

H. B. 1260, a bill to amend the Workmen's Compensation Act regarding the adding of interest to compensation payments.
Referred to **Manufacturing, Labor and Commerce Committee.**

H. B. 1298, a bill to provide that a lien for storage pursuant to an express contract may be enforced within 180 days of default.
Referred to **Judiciary II Committee.**

H. B. 1334, Committee Substitute for **H. B. 1334,** a bill to amend G. S. 50-6 to provide that a plea of recrimination shall not be a bar to a party obtaining a divorce on the ground of one year separation.
Referred to **Judiciary II Committee.**

H. B. 1340, a bill to provide for the self proving of attested written wills.
Referred to **Judiciary II Committee.**

H. B. 1345, Committee Substitute for **H. B. 1345,** a bill to amend G. S. 58-210(4) relative to requirements for issuing group life insurance to trustees appointed by two or more employees or labor unions for the benefit of employees.

Referred to **Insurance Committee.**

H. B. 1378, a bill to amend the Medical Practice Act.

Referred to **Judiciary II Committee.**

H. B. 1432, a bill to amend Chapter 18A of the General Statutes to authorize an establishment with an on premise wine permit to continue selling on premise wine no more than 30 days in the event the sanitation grade is reduced to grade B.

Referred to **Alcoholic Beverage Control Committee.**

H. B. 1494, a bill to rewrite the entry requirements for opticians.

On motion of Senator Wynne, the rules are suspended, and the bill is placed on the Calendar for today.

H. B. 1520, a bill to amend G. S. 69-25.5 concerning expenditures of fire protection district taxes in Bladen County.

Referred to **Local Government and Regional Affairs Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 318, Committee Substitute for **S. B. 318,** a bill providing for mandatory prison confinement for persons convicted of armed robbery or burglary, upon third reading.

Senator Walker offers Amendment No. 1 which is adopted.

Senator Mathis offers Amendment No. 2 which is adopted.

Senator Marion offers Amendment No. 3.

Senator Marion calls the previous question, duly seconded. The call is sustained.

Amendment No. 3 fails of adoption.

Senator Swain moves that the Committee Substitute bill, as amended, be re-referred to the **Appropriations Committee,** which motion fails to prevail.

Senator Allsbrook calls the previous question, duly seconded. The call is sustained.

The Committee Substitute bill, as amended, passes its third reading.

Senator Allsbrook moves that the vote by which the Committee Substitute bill, as amended, passed its third reading be reconsidered, which motion prevails.

The Committee Substitute bill, as amended, remains on the Calendar for further consideration, upon third reading.

Senator Allsbrook offers Amendment No. 4 which is adopted.

The Committee Substitute bill, as amended, passes its third reading and is ordered engrossed and sent to the House of Representatives.

S. B. 359, a bill to rewrite G. S. 29-21 and G. S. 29-22 to recognize inheritance rights of the father of an illegitimate intestate as provided for in G. S. 29-19, for concurrence in the House amendments.

On motion of Senator Britt, the Senate concurs in the House amendments and the bill is ordered enrolled.

S. B. 432, Committee Substitute for S. B. 432, a bill to revise and consolidate the Charter of the Town of Valdese and to repeal prior local acts, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 29, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Ballenger, Barnes, Childers, Combs, Garrison, Gray, Hardison, Harrington, Henley, Jordan, Lake, Mathis, Popkin, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Speed, Stallings, Swain, Totherow, Walker, Webster, White, Winters, and Wynne — 29.

The Committee Substitute bill remains on the Calendar upon third reading.

S. B. 837, a bill to establish a statute of limitations for actions alleging deprivation of rights under color of State law, as amended.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 838, a bill to establish a statute of limitations for actions alleging unlawful discrimination employment practices.

On motion of Senator Lake, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 876, a bill to rewrite the entry requirements for opticians.

On motion of Senator Wynne, duly seconded, the bill is postponed indefinitely.

S. B. 895, a bill to amend G. S. 53-128 and G. S. 54-44 concerning derogatory statements of financial condition of banks or building and loan associations.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 905, a bill to amend G. S. 157-3(12) relative to the definition of housing project.

On motion of Senator Rauch, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S. B. 906, a bill to amend G. S. 20-42 pertaining to acknowledgements of signatures by employees of the Division of Motor Vehicles.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 911, a bill to amend the worthless checks statute.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

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H. B. 432, Committee Substitute for **H. B. 432**, a bill to make unlawful the alteration, destruction, or removal of serial numbers or other permanent identification marks from personal property and to make unlawful the sale, purchase or possession of property on which the serial number or permanent identification mark has been so altered, destroyed, or removed; and set the punishment therefor, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Henley, Jordan, Lake, Lawing, Marvin, Mathis, Palmer, Popkin, Rauch, Raynor, Renfrow, Sharpe, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 38.

The Committee Substitute bill remains on the Calendar upon third reading.

H. B. 440, Committee Substitute for **H. B. 440**, a bill to require special permits for movement on public roads in Mitchell and Avery Counties of mobile or modular homes of a width in excess of 12 feet and further to prohibit such movement on certain designated public roads in those Counties, as amended, upon third reading.

The Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 27, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Ballenger, Barnes, Childers, Combs, Garrison, Gray, Hardison, Harrington, Jordan, Lake, Mathis, Palmer, Popkin, Renfrow, Sharpe, Smith of Guilford, Speed, Stallings, Swain, Totherow, Walker, Webster, White, Winters, and Wynne — 27.

The Committee Substitute bill, as amended, is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 714, Committee Substitute for **H. B. 714**, a bill to revise and consolidate the Charter of the Town of Spring Lake and to repeal prior local acts, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 27, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Ballenger, Barnes, Childers, Combs, Garrison, Gray, Hardison, Harrington, Jordan, Lake, Mathis, Palmer, Popkin, Renfrow, Sharpe, Smith of Guilford, Speed, Stallings, Swain, Totherow, Walker, Webster, White, Winters, and Wynne — 27.

The Committee Substitute bill is ordered enrolled.

H. B. 782, Committee Substitute for **H. B. 782**, a bill to revise and consolidate the Charter of the City of Concord and to repeal prior local acts, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 27, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Ballenger, Barnes, Childers, Combs, Garrison, Gray, Hardison, Harrington, Jordan,

Lake, Mathis, Palmer, Popkin, Renfrow, Sharpe, Smith of Guilford, Speed, Stallings, Swain, Totherow, Walker, Webster, White, Winters, and Wynne — 27.

The Committee Substitute bill is ordered enrolled.

H. B. 808, a bill to amend G. S. 148-45(e) to provide that a sentence for escape shall commence at termination of any other sentences, upon third reading.

Senator Whichard moves that the bill be re-referred to the **Appropriations Committee,** which motion fails to prevail.

The bill passes its third reading and is ordered enrolled.

H. B. 926, a bill to create a special waterfowl hunting license and to increase the Migratory Waterfowl Conservation Program, upon second reading.

On motion of Senator Daniels, consideration of the bill is postponed until Tuesday, June 28.

H. B. 971, a bill to increase nonresident big game hunting license fee, upon third reading.

The bill passes its third reading by roll-call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Henley, Jordan, Lake, Marion, Marvin, Mathis, Palmer, Rauch, Raynor, Renfrow, Sharpe, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 38.

The bill is ordered enrolled.

H. B. 975, Committee Substitute for **H. B. 975,** a bill to rewrite Chapter 83 of the General Statutes as Chapter 83A relating to architects, as amended, upon second reading.

Senator Rauch moves that the Committee Substitute bill, as amended, be re-referred to the **Finance Committee.**

Senator Harrington offers a substitute motion that the Committee Substitute bill, as amended, be re-referred to the **Special Committee on Ways and Means,** which motion prevails.

H. B. 1003, Committee Substitute for **H. B. 1003,** a bill to promote and encourage the conservation of energy by providing a tax credit for installation of solar hot water, heating and cooling systems, by providing a tax credit for installation of home insulation, storm windows and storm doors, by managing and controlling energy use by improved enforcement of the State Building Code insulation requirements, by reporting of available petroleum supplies, and by prohibiting the use of master meters for electricity and natural gas in new multi-unit residential dwelling units, upon second reading.

Senator Childers offers Amendment No. 1 which is adopted.

The Committee Substitute bill, as amended, passes its second reading by roll-call vote, ayes 35, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Marion, Marvin, Mathis, Palmer, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Walker, Webster, White, Winters, and Wynne — 35.

The Committee Substitute bill, as amended, remains on the Calendar upon third reading.

H. B. 1119, a bill to reorganize the Department of Natural and Economic Resources as the Department of Natural Resources and Community Development; to create a North Carolina Employment and Training Council in the Department of Natural Resources and Community Development; and to make necessary conforming changes, as amended.

On motion of Senator Hardison, Committee Amendments No. 2, and No. 3 are adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, for concurrence in the Senate Amendments.

H. B. 1124, a bill to amend Article 24A of Chapter 58 of the General Statutes relating to mutual burial association.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1160, a bill to allow an increase in the percentage of supervisory personnel in the State Highway Patrol from eighteen percent to twenty-one percent.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1197, a bill to increase the nonresident hunting license fee and nonresident six-day hunting license fee, upon second reading.

On motion of Senator Rauch, consideration of the bill is postponed until Tuesday, June 28.

H. B. 1200, a bill to amend Article 13B of Chapter 130 of the General Statutes to provide for penalties and remedies, upon second reading.

On motion of Senator Royall, consideration of the bill is postponed until Monday, June 27.

H. B. 1214, a bill to provide for the issuance of special registration plates for members of fire departments and rescue squads, as amended, upon third reading.

The bill, as amended, passes its third reading by roll-call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Henley, Jordan, Lake, Marion, Marvin, Mathis, Palmer, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 38.

The bill, as amended, is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1254, a bill to amend the fees for registration of land titles, upon second reading.

The bill passes its second reading by roll-call vote, ayes 37, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Jordan, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Rauch, Raynor, Renfrow, Royall, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 37.

The bill remains on the Calendar upon third reading.

H. B. 1263, a bill to revise the Municipal Service District Act of 1973, as amended, upon third reading.

The bill, as amended, passes its third reading by roll-call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Henley, Jordan, Lake, Marion, Marvin, Mathis, Palmer, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 38.

The bill, as amended, is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1297, a bill to add a new Section G. S. 1-42.4 to extinguish ancient mineral claims in Ashe County and to require that oil, gas and mineral interests within Ashe County be recorded and listed for taxation, upon third reading.

The bill passes its third reading by roll-call vote, ayes 27, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Ballenger, Barnes, Childers, Combs, Garrison, Gray, Hardison, Harrington, Jordan, Lake, Mathis, Palmer, Popkin, Renfrow, Sharpe, Smith of Guilford, Speed, Stallings, Swain, Totherow, Walker, Webster, White, Winters, and Wynne — 27.

The bill is ordered enrolled.

H. B. 1362, a bill to amend G. S. 163-288.1 relating to city voters in annexed territory, upon third reading.

The bill passes its third reading by roll-call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harrington, Henley, Jordan, Lake, Marion, Marvin, Mathis, Palmer, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Smith

of New Hanover, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 38.

The bill is ordered enrolled.

H. B. 1372, Committee Substitute for **H. B. 1372**, a bill to provide a dismissal-with-leave procedure for fugitives who flee the jurisdiction of the court.

The Committee Substitute bill passes its second reading.

On objection of Senator Smith of New Hanover to its third reading the Committee Substitute bill remains on the Calendar.

H. B. 1398, Committee Substitute for **H. B. 1398**, a bill to amend the General Statutes relating to the time at which claim and delivery may be sought.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 1411, a bill to include the word "commitment" in the preamble to G. S. 24-1.1 and to add said preamble to G. S. 24-1.2.

On motion of Senator Hill, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1468, a bill to state the interest rate ceiling on certain small business loans and certain loans secured by property used for nonprofit purposes.

The bill passes its second reading.

On objection of Senator Jordan to its third reading the bill remains on the Calendar.

H. B. 1479, a bill to require individuals engaged in commercial fishing operations in a vessel owned by another to be eligible for commercial fishing licenses in their own right.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1494, a bill to rewrite the entry requirements for opticians.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1499, a bill to amend G. S. 122-56.7 to require that notice be given to the parent or guardian of a minor or a person adjudicated non compos mentis.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1512, a bill to clarify Chapter 460 of the 1977 Session Laws relating to the authority of the Department of Transportation to condemn real property, upon second reading.

The bill passes its second reading by roll-call vote, ayes 35, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Davis, Garrison, Gray, Hardison, Harrington, Harris, Henley, Lake, Lawing, Marion, Mathis, Palmer, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Smith of New Hanover,

Speed, Stallings, Swain, Totherow, Webster, Whichard, White, Winters, and Wynne — 35.

The bill remains on the Calendar upon third reading.

H. B. 1515, Senate Committee Substitute for **H. B. 1515**, a bill to transfer the Commission of Indian Affairs to the Department of Administration under a Type II transfer as defined in G. S. 143A-6.

On motion of Senator Royall, the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Monday, June 27.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 142, House Committee Substitute for Committee Substitute for **S. B. 142**, an act to amend the Guardianship Laws.

S. B. 459, Committee Substitute for **S. B. 459**, an act to promote and protect the welfare of the people of the State of North Carolina by prevention and elimination of discriminatory employment practices and policies based upon race, color, religion, national origin, age, sex, or handicap.

S. B. 468, Committee Substitute for **S. B. 468**, an act to amend Chapter 96 of the General Statutes known as the Employment Security Law to conform with federal requirements, to make technical improvements and corrections, and to remove outdated and inconsistent provisions from the law.

S. B. 598, Committee Substitute for **S. B. 598**, an act to grant executor or trustee discretion to make distributions in cash or kind, without regard to federal income tax basis.

S. J. R. 599, a joint resolution urging the government of the United States to maintain its diplomatic relations and the mutual defense treaty with the Republic of China; and for other purposes.

S. B. 757, an act to amend certain provisions of the law relating to the Battleship Commission.

S. B. 909, an act to amend Chapter 606 of the 1977 Session Laws to expressly authorize the ABC Board of the Town of Brevard to enter into a contract with a local law enforcement agency.

H. B. 325, an act to amend G. S. 14-162 to delete any reference to removal of personal property from any boat or landing and to increase the penalty for the trespass.

H. B. 463, an act to grant the City of Greenville alternative condemnation procedures.

H. B. 882, an act to authorize the holding of a malt beverage and unfortified wine election in the Town of Rural Hall.

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H. B. 1121, an act to amend Chapter 133 of the General Statutes entitled Public Works.

H. B. 1133, Committee Substitute for **H. B. 1133**, an act to permit turns through medians by State highway patrolmen.

H. B. 1153, an act amending Chapter 159C of the General Statutes which authorizes counties to create authorities to issue bonds to finance industrial and pollution control projects, to revise the provisions thereof relating to eligibility requirements for appointment to an authority, to the average manufacturing wage requirement for industrial projects, to the taxation of projects and tax exemption of interest on bonds, to contracts for the acquisition and construction of projects, and to conflicts of interest, to add provisions permitting the subordination of bonds to other security interests and providing that the Local Government Budget and Fiscal Control Act shall not apply to authorities, and to repeal provisions requiring an annual audit.

H. B. 1183, an act to provide for special treatment of all youthful offenders and establish special parole consideration for committed youthful offenders.

H. B. 1213, an act to require participation of the Office of the Attorney General in the award of State contractual services contracts in excess of one hundred thousand dollars.

H. B. 1223, an act to authorize and regulate movement of structures, historical buildings, houses or other extraordinary objects on State highway system of roads.

H. B. 1240, Committee Substitute for **H. B. 1240**, an act to reenact G. S. 10-12, G. S. 10-13 and G. S. 31-31.1 to validate certain acts performed by notaries public since 1973.

H. B. 1277, an act to amend Article 22 of Chapter 14 of the General Statutes by adding G. S. 14-159.1 making it unlawful to alter, tamper with or bypass electric, gas or water meters; providing a presumption of intent and evidence thereof; providing penalties for violations; providing liability for damages in a civil action; providing an exemption; and providing an effective date.

H. B. 1369, an act to amend G. S. 7A-6(c) to provide that special counsel at regional psychiatric facilities shall be included in the group of public officials who receive one copy of the advance sheets of the Appellate Division without charge.

H. B. 1379, Committee Substitute for **H. B. 1379**, an act to amend G. S. 7A-39.3(a), G. S. 7A-39.6, G. S. 7A-52(a), G. S. 7A-53, and G. S. 7A-4.20, relating to the recall to active service of retired justices and judges.

H. B. 1388, an act to amend Chapter 185, Private Laws of 1929 relating to the tax collector and treasurer of the Town of Vanceboro.

H. B. 1389, an act to control noise pollution from speedboats with engines capable of producing in excess of 4000 RPM's.

June 24, 1977

H. B. 1400, an act to amend Article 5A of Chapter 122 to provide for involuntary commitment of mentally ill persons to the psychiatric service of the North Carolina Memorial Hospital, and to repeal Article 7 of Chapter 122.

H. B. 1401, an act to clarify the identity of the licensing authority of mental health facilities.

H. B. 1406, an act to extend the laws relating to breaking into or damaging coin-operated vending and other machines to apply to currency-operated machines.

H. B. 1475, an act to amend Chapter 6, Private Laws of North Carolina 1840-1841, As Amended, pertaining to the construction, operation and financing of hospital facilities by trustees of the Rex Hospital, Raleigh, North Carolina.

On motion of Senator Henley, the Senate adjourns to meet Monday at 7:00 P.M.

ONE HUNDRED NINETEENTH DAY

SENATE CHAMBER,
Monday, June 27, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Reverend J. C. Goare, Pastor of Kings Mountain Baptist Church, Kings Mountain, as follows:

"Almighty God, King of kings and Lord of lords, in whose hands are the issues of men, we bow in humble reverence before Thee, and with grateful hearts acknowledge Thy manifold favors to us as a people.

"Most heartily we beseech Thee to look with favor upon these Thy servants of our State Senate, their colleagues in the House of Representatives, the Governor, the President of these United States, and all others in authority. Saturate them with the spirit of wisdom, goodness and truth; and so rule their hearts and bless their endeavors that law and order, justice and peace may everywhere prevail.

"As we have mastered nature that we may gain wealth, help us now to master the social relations of mankind that we may gain a worldwide brotherhood. For what shall it profit our State and Nation if we gain numbers and riches and lose the sense of the living God and the joy of human fellowship.

"O Master, once more we make Thy faith our prayer: 'Thy Kingdom come! Thy will be done on earth!' Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of Friday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

Leaves of absence granted previously to Senators Crawford and Scott are noted.

The President recognizes the following pages serving in the Senate this week: Joy Ammons, Fayetteville; Sally Anderson, Charlotte; Teresa Blackburn, Raleigh; Jay Brewer, Raleigh; Patricia Brooks, Raleigh; Cheri Cline, Raleigh; Jerry Cline, Raleigh; Annie Dillon, Raleigh; Scott Isaacs, Raleigh; Celeste Johnson, Raleigh; Bobby Jones, Forest City; Renee Marion, Dobson; Alan Patterson, Raleigh; Art Patterson, Raleigh; Candy Puryear, Raleigh; and Stuart Schwartz, Raleigh.

H. B. 712, a bill to amend the Charter of the Town of Cary.

On motion of Senator Soles, the rules are suspended, and the bill is taken from the **Local Government and Regional Affairs Committee** and is placed on the Calendar for Tuesday, June 28.

H. B. 1520, a bill to amend G. S. 69-25.5 concerning expenditures of fire protection district taxes in Bladen County.

On motion of Senator Soles, the rules are suspended, and the bill is taken from the **Local Government and Regional Affairs Committee** and is placed on the Calendar for Tuesday, June 28.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Harris for the **Human Resources Committee:**

H. B. 1015, Committee Substitute for **H. B. 1015,** a bill to create a Nursing Home and Home for the Aged and Infirm Patients' Bill of Rights, with a favorable report, as amended.

H. B. 1510, a bill to amend the State-County Special Assistance for Adults Program established by G. S. 108-62 to make county participation mandatory with respect to eligible persons in domiciliary care needing supplemental payments, with a favorable report.

By Senator Totherow for the **Insurance Committee:**

S. B. 134, a bill to amend Chapter 58 of the General Statutes to prevent insurance premium charges for private automoblies based on traffic offenses committed by operators of commercial vehicles, without prejudice.

On motion of Senator Totherow, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 396, a bill to amend Article 13 of Chapter 58 of the General Statutes to provide appropriate insurance premium discounts for adequate smoke detectors, without prejudice.

On motion of Senator Totherow, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 457, a bill to provide for the mandatory availability of comprehensive health insurance coverage and the creation of a Health Care Commission, without prejudice.

On motion of Senator Totherow, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 727, a bill to amend Article 26 of Chapter 116 relating to a self-insurance program for health care liability claims, without prejudice.

On motion of Senator Totherow, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

H. B. 305, a bill to extend the expiration date of the Fair Access Insurance Plan from December 31, 1977, to December 31, 1980, without prejudice.

On motion of Senator Totherow, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

By Senator Britt for the **Judiciary II Committee:**

H. B. 1298, a bill to provide that a lien for storage pursuant to an express contract may be enforced within 180 days of default, with a favorable report.

H. B. 1334, Committee Substitute for H. B. 1334, a bill to amend G. S. 50-6 to provide that a plea of recrimination shall not be a bar to a party obtaining a divorce on the ground of one year separation, with a favorable report, as amended.

H. B. 1340, a bill to provide for the self proving of attested written wills, with a favorable report.

H. B. 1359, a bill to amend Chapter 127A of the General Statutes to provide for the awarding of civilian service medals and awards for services rendered to the North Carolina National Guard, with a favorable report.

H. B. 1378, Committee Substitute for H. B. 1378, a bill to amend the Medical Practice Act, with a favorable report, as amended.

H. B. 1466, a bill to rewrite G. S. 28A-14-3 regarding notice to and the barring of claims of creditors of decedents, with a favorable report.

By Senator Whichard for the State Government Committee:

H. B. 1455, a bill to amend the Law Enforcement Officers', Firemen's, Rescue Squad Workers', and Civil Air Patrol Members' Death Benefit Act, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Speed:

S. B. 912, a bill to delete the requirement that a licensed pilot who is otherwise qualified must serve a two-year apprenticeship before being licensed as an aerial pesticide applicator.

On motion of Senator Speed, the rules are suspended, and the bill is placed on the Calendar for Tuesday, June 28.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following special messages are received from the House of Representatives:

H. B. 440, Committee Substitute for **H. B. 440**

HOUSE OF REPRESENTATIVES
June 27, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate amendment to **H. B. 440**, Committee Substitute for **H. B. 440**, a bill to require special permits for movement on public roads in Mitchell and Avery Counties of mobile or modular homes of a width in excess of 12 feet and further to prohibit such movement on certain designated public roads in those Counties, and requests conferees. The Speaker has appointed Representatives Wiseman, Lachot, and McMillan on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,
GRACE A. COLLINS
Principal Clerk

Senator Harrington moves that the President appoint conferees, which motion prevails. The President appoints Senators Harrington, Kincaid, and Barnes as conferees on the part of the Senate and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

H. B. 1485

HOUSE OF REPRESENTATIVES
June 27, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate amendment to H. B. 1485, a bill to amend G. S. 93A-4(a) to delete the requirement that real estate brokers be citizens of the United States, and requests conferees. The Speaker has appointed Representatives Miller, Adams, and Morgan on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,
GRACE A. COLLINS
Principal Clerk

Senator Britt moves that the President appoint conferees which motion prevails. The President appoints Senators Britt, Lawing, and Davis as conferees on the part of the Senate and a message is ordered sent to the House of Represntatives informing that Honorable Body of such action.

HOUSE OF REPRESENTATIVES
June 27, 1977

Mr. President:

It is ordered that a message be sent the Senate informing that Honorable Body that pursuant to exchange of messages, the House of Representatives stands ready to receive the Senate in Joint Session at eight o'clock for the purpose of confirming Mr. Hugh Wells as Executive Director of the Public Staff of the Utilities Commission.

Respectfully,
GRACE A. COLLINS
Principal Clerk

On motion of Senator Henley, in accordance with the announcement of the President fixing the time and place for a Joint Session of the House of Representatives and Senate for the purpose of confirming the appointment of the Executive Director of the Public Staff of the Utilities Commission by the Governor, the Senate recesses to repair to the Hall of the House of Representatives there to sit in Joint Session; and on his further motion upon dissolution of the Joint Session to return to the Senate Chamber for the further consideration of business.

JOINT SESSION

The Senate is received by the members of the House of Representatives standing, and the Joint Session is called to order by Lieutenant Governor James C. Green.

The President of the Senate orders the Reading Clerk of the Senate to read the following letter:

June 29, 1977

Gentlemen:

As provided in Senate Bill 229 which was ratified June 3, 1977, I am submitting my appointment of

Hugh A. Wells
5313 Alpine Drive
Raleigh, North Carolina 27609

as the Executor Director of the Public Staff of the Utilities Commission for confirmation by the General Assembly. His term of office will begin July 1, 1977 and will expire June 30, 1983.

Thank you for your assistance in this matter.

My warmest regards.

Sincerely,
JAMES B. HUNT, JR.
Governor
State of North Carolina

The Honorable James C. Green
President of the Senate
Legislative Building
Raleigh, North Carolina 27611

The Honorable Carl J. Stewart
Speaker of the House of Representatives
Legislative Building
Raleigh, North Carolina 27611

Senator Webster, for the **Public Utilities and Energy Committee** of the Senate and Representative Campbell for the **Public Utilities Committee** for the House of Representatives, present the following report:

June 27, 1977

Mr. President:

Mr. Speaker:

In compliance with the provisions of Ratified Senate Bill 229 that the nominee to fill the position of Executive Director of the Public Staff of the Utilities Commission shall be subject to confirmation by the General Assembly in Joint Session, Governor Hunt has submitted for confirmation by the General Assembly the name of:

Mr. Hugh A. Wells for a term of office beginning July 1, 1977 and expiring June 30, 1983.

June 27, 1977

The Senate Committee on Public Utilities and the House of Representatives Committee on Public Utilities have considered the nominee and recommend to this Joint Session that Mr. Wells be confirmed.

Respectfully submitted,

WESLEY D. WEBSTER, *Chairman*
Senate Committee on Public Utilities

A. HARTWELL CAMPBELL
Chairman
House of Representatives
Committee on Public Utilities

Senator Webster moves that the Senate do confirm the appointment of Hugh A. Wells as the Executive Director of the Public Staff of the Utilities Commission. Representative Campbell moves that the House of Representatives do confirm the appointment of Hugh A. Wells as the Executive Director of the Public Staff of the Utilities Commission.

The President of the Senate orders that the roll of the Senate will be called and thereafter the roll of the House of Representatives after which the results of the vote will be announced.

The motions to confirm the appointment of Hugh A. Wells as Executive Director of the Public Staff of the Utilities Commission prevail by the following roll-call votes:

Senate, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Kincaid, Lake Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, and Wynne — 45.

House of Representatives, ayes 106, noes 0, as follows:

Those voting in the affirmative are: Representatives Adams, Auman, Baker, Barbee, Barker, Beard, Bell, Bissell, Brennan, Brubaker, Bumgardner, Bundy, Campbell, Chapin, Chase, Church, Clarke, Collins, Cook, Creech, Cullipher, Davenport, DeBruhl, DeRamus, Diamont, Duncan, Easterling, Economos, Edwards, Ellis, Enloe, Erwin, Ezzell, Farmer, Foster, Frye, Fulcher, Gamble, Gardner, Gentry, Gilmore, Grady, Greenwood, Gregory, Griffin, Hairston, Hall, Harris of Lee, Harris of Alamance, Helms, Hightower, Holroyd, Holt of Alamance, Holt of Cumberland, Hunt, Hunter, Hurst, Huskins, Hux, James, Jernigan, Johnson of Wake, Johnson of Robeson, Kaplan, Lachot, Lambeth, Lilley, Martin, Mason, McMillan, Messer, Michaux, Miller, Morgan, Morris, Nash, Nesbitt, Nye, Parnell, Pickler, Poovey, Pugh, Ramsey, Ray, Revelle, Rhodes, Rountree, Schwartz, Setzer, Seymour, Short,

Smith of Rowan, Smith of Forsyth, Spoon, Tally, Taylor, Tennille, Thomas, Varner, Ward, Webb, White of Caldwell, White of Dare, Wiseman, Woodard, and Wright — 106.

Having received a majority of votes of both Houses, the appointment of Hugh A. Wells as Executive Director to the Public Staff of the Utilities Commission is confirmed.

It is ordered by the President of the Senate that the Governor be notified of the action of the General Assembly sitting in Joint Session upon the confirmation of this appointment as Executive Director of the North Carolina Utilities Commission.

On motion of Senator Henley, the Joint Session is dissolved and the Senate returns to its Chamber.

The Senate resumes consideration of its regular business.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 313, House Committee Substitute for **S. B. 313,** a bill to amend G. S. 14-71 and G. S. 14-72 to make possession of stolen goods unlawful, for concurrence in the House Committee Substitute bill which is placed on the Calendar for Tuesday, June 28.

S. B. 485, Committee Substitute for **S. B. 485,** a bill to increase representation on the OSHA Advisory Council, for concurrence in the House amendment which is placed on the Calendar for Tuesday, June 28.

S. B. 650, a bill to authorize the use of Powell Bill Funds for bikeway purposes, for concurrence in the House amendment which is placed on the Calendar for Tuesday, June 28.

S. B. 760, Committee Substitute for **S. B. 760,** a bill to amend Chapters 7A and 48 of the General Statutes relating to adoptions and termination of parental rights, for concurrence in the House amendments which is placed on the Calendar for Tuesday, June 28.

H. B. 127, Committee Substitute for **H. B. 127,** a bill to revise and clarify certain provisions of the Machinery Act relating to the powers and duties of the tax supervisor, boards of equalization and review and boards of commissioners.

Referred to **Finance Committee.**

H. B. 128, Committee Substitute for **H. B. 128,** a bill to amend and clarify the provisions of the Machinery Act.

Referred to **Finance Committee.**

H. B. 514, Senate Committee Substitute for **H. B. 514,** a bill to amend the child abuse and neglect laws to provide for mandatory notification of

reporter after investigation, professional reporting responsibility for staff of day care centers, court review of decisions to return children to parents, and for a statewide protective services plan developed by the Department of Human Resources, for concurrence in the House amendment which is placed on the Calendar for Tuesday, June 28.

H. B. 604, Committee Substitute for **H. B. 604**, a bill to require payment of "tips" to persons for whom they are intended.

Referred to **Manufacturing, Labor and Commerce Committee.**

H. B. 656, a bill prohibiting the North Carolina Agricultural Extension Service from refusing to employ persons otherwise qualified, in their home county.

Referred to **Agriculture Committee.**

H. B. 678, Committee Substitute for **H. B. 678**, a bill to amend the General Statutes to allow credit for prior service with State Government before 1941 for members of the North Carolina Local Governmental Employees' Retirement System.

Referred to **Special Committee on Ways and Means.**

H. B. 746, Committee Substitute for **H. B. 746**, a bill to eliminate discrimination in the treatment of handicapped and disabled persons.

Referred to **Human Resources Committee.**

H. B. 880, Committee Substitute for **H. B. 880**, a bill to amend G. S. 95-105 to provide a $10 fee for the periodic inspection of elevators.

Referred to **Manufacturing, Labor and Commerce Committee.**

H. B. 1013, a bill to amend the Child Support Act of 1975 as set forth in Article 9, Chapter 110 of the General Statutes.

Referred to **Judiciary II Committee.**

H. B. 1021, Committee Substitute for **H. B. 1021**, a bill to supplement the Federal Laboratory Animal Welfare Act (P. L. 89-544) As Amended, to provide standards for the care of animals in animal shelters and pet shops, and to regulate dealers.

Referred to **Finance Committee.**

H. B. 1093, a bill to permit religious institutions to allow their parking lots to be used by the public without reducing their property tax exemption.

Referred to **Finance Committee.**

H. B. 1206, Committee Substitute for **H. B. 1206**, a bill to amend G. S. 15A-274, issuance of order and G. S. 15A-277, service of order.

Referred to **Judiciary II Committee.**

H. B. 1216, Committee Substitute for **H. B. 1216**, a bill to enable registered and licensed practical nurses to carry out the orders of physician's assistants under certain conditions.

Referred to **Special Committee on Ways and Means.**

H. B. 1237, a bill to establish the North Carolina State Indian Housing Authority.

Referred to **Special Committee on Ways and Means.**

H. B. 1280, a bill to allow the purchaser in a partition sale of real property to withdraw his offer to purchase within fifteen days of the order confirming the sale because of unsatisfied liens.

Referred to **Judiciary II Committee.**

H. B. 1281, a bill to make technical amendments to existing provisions of G. S. 105-277(f) and to G. S. 160A-399.4-5, relating to the taxation and designation of historic properties.

Referred to **Finance Committee.**

H. B. 1299, a bill to increase the fee paid for commercial fishing licenses by nonresidents to two hundred dollars.

Referred to **Finance Committee.**

H. B. 1325, a bill to eliminate imprisonment as punishment for a first offense of misdemeanor possession of a Schedule VI controlled substance.

Referred to **Judiciary II Committee.**

H. B. 1329, a bill to provide workmen's compensation coverage and other benefits for persons serving as volunteer A.B.C. officers.

Referred to **Manufacturing, Labor and Commerce Committee.**

H. B. 1330, a bill to increase the compensation of certain precinct officials.

Referred to **Election Laws Committee.**

H. B. 1338, Committee Substitute for **H. B. 1338,** a bill to amend Chapters 160A and 153A of the General Statutes to authorize cities and counties to pay certain civil judgements against employees and officers.

Referred to **Judiciary II Committee.**

H. B. 1347, a bill to amend day care laws to provide that fence requirements will not be applicable to facilities operated in public school buildings.

Referred to **Special Committee on Ways and Means.**

H. B. 1349, a bill to amend Chapter 108 of the General Statutes to establish an emergency assistance to needy families with children program.

Referred to **Special Committee on Ways and Means.**

H. B. 1350, a bill to make the Child Day-Care Licensing Commission subject to the Administrative Procedure Act, to clarify State authority over unlicensed day-care centers, and to modify the composition of said Commission to increase parent representation.

Referred to **Special Committee on Ways and Means.**

H. B. 1352, a bill to provide that rules and regulations governing access to the police information network shall not prohibit an attorney in a criminal proceeding from obtaining information relevant to that criminal proceeding.

Referred to **Judiciary II Committee.**

H. B. 1357, a bill to amend G. S. 135 to permit vested members to purchase credit for specific period of absence from State employment for educational advancement when leave of absence for said purpose was not available to member.

Referred to **State Government Committee.**

H. B. 1374, a bill to include the magistrate's order with other criminal process for purposes of the 90-day traffic scofflaw statute.

Referred to **Judiciary II Committee.**

H. B. 1376, a bill to provide for greater punishments for crime against nature under certain circumstances.

Referred to **Judiciary II Committee.**

H. B. 1419, a bill relating to the execution of proxies of corporation with less than 100 stockholders.

Referred to **Judiciary II Committee.**

H. B. 1426, Committee Substitute for **H. B. 1426**, a bill to provide that money shall not be included when computing the bond of a personal representative or testamentary trustee if it is deposited in an insured account and it may not be withdrawn without a court order.

Referred to **Judiciary II Committee.**

H. B. 1431, a bill to regulate the transportation of spent nuclear fuel upon the highways of North Carolina.

Referred to **Transportation Committee.**

H. B. 1435, a bill to make Veterans Day a holiday for school children.

Referred to **Special Committee on Ways and Means.**

H. B. 1438, a bill to regulate fox hunting in Polk and Rutherford Counties.

Referred to **Wildlife Committee.**

H. B. 1484, a bill to amend G. S. 62-138 to provide for restrictions on the use of telephone monitoring equipment.

Referred to **Public Utilities and Energy Committee.**

H. B. 1486, a bill to repeal G. S. 20-9(g)(4)g affecting the right of appeal of licensees denied driving privileges for physical or mental disabilities.

Referred to **Judiciary II Committee.**

H. B. 1489, a bill to increase certain fees charged by the register of deeds.

Referred to **Special Committee on Ways and Means.**

H. B. 1511, a bill to change Utilities Commission hearing transcript fees from thirty cents per page to one dollar per page.

Referred to **Finance Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

June 27, 1977

S. B. 110, House Committee Substitute for Senate Committee Substitute No. 1 for **S. B. 110**, a bill to prohibit setting or using trap of leg-gripping, steel-jawed or connibear type for the capturing of animals or birds in North Carolina.

On motion of Senator Combs, Committee Amendments No. 1, No. 2, and No. 3 are adopted.

The House Committee Substitute bill, as amended, passes its second reading.

On objection of Senator Swain to its third reading the House Committee Substitue bill, as amended, remains on the Calendar.

S. B. 432, Committee Substitute for **S. B. 432**, a bill to revise and consolidate the Charter of the Town of Valdese and to repeal prior local acts, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Harrington, Harris, Henley, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Popkin, Rauch, Raynor, Renfrow, Sebo, Sharpe, Smith of Guilford, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, White, and Wynne — 38.

The Committee Substitute bill is ordered, without objection, sent to the House of Representatives by special messenger.

S. J. R. 896, Committee Substitute for **S. J. R. 896**, a joint resolution directing the Legislative Research Commission to study the authorization for, and use of, office and clerical personnel within the primary and secondary school systems of North Carolina.

The Committee Substitute joint resolution passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 910, a bill authorizing the State treasurer to establish a pool account for local governments to fund unemployment compensation liability.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 432, Committee Substitute for **H. B. 432**, a bill to make unlawful the alteration, destruction, or removal of serial numbers or other permanent identification marks from personal property and to make unlawful the sale, purchase or possession of property on which the serial number or permanent identification mark has been so altered, destroyed, or removed; and set the punishment therefor, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Davis, Garrison, Gray, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, McDuffie, Palmer, Popkin, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of Guilford,

Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, and Wynne — 42.

The Committee Substitute bill is ordered enrolled.

H. B. 504, Committee Substitute for **H. B. 504**, a bill to amend Chapter 39 of the General Statutes relating to conveyances, to allow conveyances of real property to or by a business trust.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. J. R. 563, a joint resolution directing the Legislative Research Commission to study the property tax on business inventories.

On motion of Senator Garrison, Committee Amendment No. 1 is adopted.

The joint resolution, as amended, passes its second reading.

On objection of Senator Rauch to its third reading the joint resolution, as amended, remains on the Calendar.

H. B. 576, Committee Substitute for **H. B. 576**, a bill providing for mandatory prison confinement for persons convicted of armed robbery.

On motion of Senator Britt, consideration of the Committee Substitute bill is postponed until Wednesday, June 29.

H. B. 718, Committee Substitute for **H. B. 718**, a bill to insure the speedy trial of persons charged with criminal offenses.

On motion of Senator Britt, Committee Amendment No. 1 is adopted.

Senator Britt offers Amendment No. 2 which is adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger for concurrence in the Senate amendments.

H. B. 878, a bill to increase representation on the North Carolina Board of Boiler and Pressure Vessels Rules.

On motion of Senator Childers, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger for concurrence in the Senate amendment.

H. B. 904, a bill to provide for videotaping of depositions.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1003, Committee Substitute for **H. B. 1003**, a bill to promote and encourage the conservation of energy by providing a tax credit for installation of solar hot water, heating and cooling systems, by providing a tax credit for installation of home insulation, storm windows and storm doors, by managing and controlling energy use by improved enforcement of the State Building Code insulation requirements, by reporting of available petroleum supplies, and by prohibiting the use of master meters for electricity and natural gas in new multi-unit residential dwelling units, as amended, upon third reading.

The Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Davis, Garrison, Gray, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, McDuffie, Palmer, Popkin, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, and Wynne — 42.

The Committee Substitute bill, as amended, is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1139, a bill to make certain dangerous activities at athletic contests and sports events a misdemeanor.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1200, a bill to amend Article 13B of Chapter 130 of the General Statutes to provide for penalties and remedies, upon second reading.

On motion of Senator Royall, the bill is recommitted to the **Special Committee on Ways and Means.**

H. B. 1201, a bill to rewrite the Solid Waste Management Act, upon second reading.

On motion of Senator Royall, the bill is recommitted to the **Special Committee on Ways and Means.**

H. B. 1254, a bill to amend the fees for registration of land titles, upon third reading.

The bill passes its third reading by roll-call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Davis, Garrison, Gray, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, McDuffie, Palmer, Popkin, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, and Wynne — 42.

The bill is ordered enrolled.

H. B. 1336, a bill to repeal G. S. 1-182 relating to putting jury instructions in writing in criminal actions.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1337, a bill to prevent killing cougars and to establish a penalty for violation, upon second reading.

The bill passes its second reading by roll-call vote, ayes 41, noes 3, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Davis, Gray, Hardison, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Vickery, Walker, Webster, White, and Wynne— 41.

Those voting in the negative are: Senators Garrison, Popkin, and Totherow — 3.

The bill remains on the Calendar upon third reading.

June 27, 1977

H. B. 1358, Senate Committee Substitute for **H. B. 1358**, a bill to amend G. S. 66-58 to provide that vocational educational nursery classes may sell bedding plants grown as a part of the programs.

The Senate Committee Substitute bill passes its second reading.

On objection of Senator Speed to its third reading the Senate Committee Substitute bill remains on the Calendar.

H. B. 1372, Committee Substitute for **H. B. 1372**, a bill to provide a dismissal-with-leave procedure for fugitives who flee the jurisdiction of the court, upon third reading.

The Committee Substitute bill passes its third reading and is ordered enrolled.

H. J. R. 1459, a joint resolution requesting the State Board of Education to encourage local school administrative units to provide first aid training for school personnel and students in the high schools.

The joint resolution passes its second and third readings and is ordered enrolled.

H. B. 1468, a bill to state the interest rate ceiling on certain small business loans and certain loans secured by property used for nonprofit purposes, upon third reading.

The bill passes its third reading and is ordered enrolled.

H. B. 1512, a bill to clarify Chapter 460 of the 1977 Session Laws relating to the authority of the Department of Transportation to condemn real property, upon third reading.

The bill passes its third reading by roll-call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Davis, Garrison, Gray, Harrington, Harris, Henley, Hill, Jordan, Kincaid, Lake, Lawing, Marion, Marvin, McDuffie, Palmer, Popkin, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, and Wynne — 42.

The bill is ordered enrolled.

H. B. 1515, Senate Committee Substitute for **H. B. 1515**, a bill to transfer the Commission of Indian Affairs to the Department of Administration under a Type II transfer as defined in G. S. 143A-6.

The Senate Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives for consideration of the Senate Committee Substitute bill.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 359, an act to rewrite G. S. 29-21 and G. S. 29-22 to recognize inheritance rights of the father of an illegitimate intestate as provided for in G. S. 29-19.

S. B. 405, an act to restrict the trapping of animals in Nash County.

S. B. 472, Committee Substitute for S. B. 472, an act to develop a plan and policy of wildlife management for all lands suitable for this purpose owned by the State of North Carolina.

S. B. 540, an act to amend G. S. 36-23.2(a1) relative to amendment of trust to meet the requirements of Section 2055(e)(2)(A) of the Internal Revenue Code of 1954.

S. B. 734, an act to amend G. S. 14-234 to prohibit State officials and employees from participating in any business transaction involving public funds with a former employer or business associate.

S. B. 756, an act to rewrite G. S. 20-81 concerning the issuance of official license plates to State officials and to correct uncertainties resulting from the enactment of Chapter 865 and Chapter 432 of the 1975 Session Laws.

S. B. 839, an act requiring heads of State departments to report possible violations of the criminal statutes involving misuse of State property to the State Bureau of Investigation.

S. B. 843, an act to amend "The North Carolina Metropolitan Sewerage Districts Act," G. S. 162A-66 and G. S. 162A-68 to provide that certain petitions thereunder must be signed by qualified voters rather than freeholders.

H. B. 714, Committee Substitute for H. B. 714, an act to revise and consolidate the Charter of the Town of Spring Lake and to repeal prior local Acts.

H. B. 739, Senate Committee Substitute for H. B. 739, an act to amend G. S. 97-83 of the Workmen's Compensation concerning Industrial Commission hearings.

H. B. 782, Committee Substitute for H. B. 782, an act to revise and consolidate the Charter of the City of Concord and to repeal prior local Acts.

H. B. 808, an act to amend G. S. 148-45(e) to provide that a sentence for escape shall commence at termination of any other sentences.

H. B. 971, a bill to increase nonresident big game hunting license fee.

H. B. 1050, Senate Committee Substitute No. 2 for H. B. 1050, an act to revive and improve certain provisions of Chapter 75 of the General Statutes, to protect the citizens of North Carolina from unfair, unethical, deceptive and unscrupulous business practices.

H. B. 1124, an act to amend Article 24A of Chapter 58 of the General Statutes relating to mutual burial association.

H. B. 1160, an act to allow an increase in the percentage of supervisory personnel in the State Highway Patrol from eighteen percent to twenty-one percent.

H. B. 1241, Senate Committee Substitute for **H. B. 1241**, an act to delete Dorothea Dix Hospital from the provisions of G. S. 129-42.1.

H. B. 1297, an act to add a new Section G. S. 1-42.4 to extinguish ancient mineral claims in Ashe County and to require that oil, gas and mineral interests within Ashe County be recorded and listed for taxation.

H. B. 1362, an act to amend G. S. 163-288.1 relating to city voters in annexed territory.

H. B. 1398, Committee Substitute for **H. B. 1398**, an act to amend the General Statutes relating to the time at which claim and delivery may be sought.

H. B. 1479, an act to require individuals engaged in commercial fishing operations in a vessel owned by another to be eligible for commercial fishing licenses in their own right.

H. B. 1494, an act to rewrite the entry requirements for opticians.

H. B. 1499, an act to amend G. S. 122-56.7 to require that notice be given to the parent or guardian of a minor or a person adjudicated non compos mentis.

On motion of Senator Harrington, the Senate adjourns to meet tomorrow at 1:00 P.M.

ONE HUNDRED TWENTIETH DAY

SENATE CHAMBER,
Tuesday, June 28, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by the Honorable Ollie Harris, Senator from Cleveland County.

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

Leaves of absence granted previously to Senators Crawford and Scott are noted.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S. B. 16, Committee Substitute for S. B. 16

HOUSE OF REPRESENTATIVES
June 28, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body requesting the return of S. B. 16, Committee Substitute for S. B. 16, a bill to make appropriations for current operations of State departments, institutions, and agencies, and for other purposes, for further consideration by the House of Representatives.

Respectfully,
GRACE A. COLLINS
Principal Clerk

Senator Royall moves the Committee Substitute bill be returned to the House of Representatives as requested for further consideration, which motion prevails.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. B. 658, Committee Substitute for H. B. 658

HOUSE OF REPRESENTATIVES
June 28, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate amendment to H. B. 658, Committee Substitute for H. B. 658, a bill to repeal Articles 13, 13A, 13B, and 25 of General Statutes Chapter 58 relating to the Fire Insurance Rating Bureau, fire and casualty insurance rate regulations, and regulation of automobile liability insurance rates; to provide a new method of rate regulation; and to amend Chapters 58 and 97 to consolidate the functions of the Fire Insurance Rating Bureau, the Compensation Rating and Inspection Bureau, and the Automobile Rate Administrative Office; and to assure the proper operation of the North Carolina Reinsurance Facility on a sustaining but nonprofit basis, and requests conferees. The Speaker has appointed Representatives Campbell, W. S. Harris, DeRamus, Short, and Messer on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,
GRACE A. COLLINS
Principal Clerk

Senator Totherow moves that the President appoint conferees, which motion prevails. The President appoints Senators Totherow, Jordan, Rauch, Harris, and Lawing as conferees on the part of the Senate and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

CONFERENCE REPORT

H. B. 948 June 28, 1977

Senator Barnes, for the Conferees appointed to consider the differences arising between the Senate and House of Representatives upon **H. B. 948**, a bill to clarify the Retail Installment Sales Act regarding security interests in property sold under revolving charge account contracts, submits the following report:

To the President of the Senate and the Speaker of the House of Representatives:

We, the Conferees appointed to consider and resolve the difference between the two bodies with respect to **H. B. 948**, a bill to clarify the Retail Installment Sales Act regarding security interests in property sold under revolving charge account contracts, respectfully report that we have conferred and agreed as follows:

To withdraw the amendment by Senator Barnes adopted by the Senate on June 9, 1977, and to substitute in lieu thereof the following amendment:

"Amend House Bill 948 on page 1, line 13, by deleting the period and adding the following:

'; provided further, that in any action initiated by the seller for the possession of such property, a judgment for the possession thereof shall be restricted to commercial units [as defined in G. S. 25-2-105(6)] for which the cash price was one hundred dollars ($100.00) or more.'"

And, to this end, we the said Conferees, recommend that the House of Representatives and the Senate adopt this Conference Report.

HENSON P. BARNES
JAMES B. GARRISON
CRAIG LAWING
Conferees on the part of the Senate

W. M. SHORT
E. GRAHAM BELL
RUTH E. COOK
Conferees on the part of the House of Representatives

June 28, 1977

On motion of Senator Barnes, the Conference Report is adopted and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. B. 974, Committee Substitute for **H. B. 974**

HOUSE OF REPRESENTATIVES
June 28, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **H. B. 974**, Committee Substitute for **H. B. 974**, a bill to amend Section 135-4 of the General Statutes relating to creditable service in the retirement system, to the end that when a similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,
GRACE A. COLLINS
Principal Clerk

CONFERENCE REPORT

H. B. 974

June 27, 1977

Senator Whichard, for the Conferees appointed to consider the differences arising between the Senate and House of Representatives upon **H. B. 974**, Committee Substitute for **H. B. 974**, a bill to amend Section 135-4 of the General Statutes relating to creditable service in the retirement system, submits the following report:

We, your Conference Committee appointed to resolve the differences arising between the two bodies on a Senate amendment to **H. B. 974**, Committee Substitute for **H. B. 974**, a bill to amend Section 135-4 of the General Statutes relating to creditable service in the retirement system, wish to report as follows:

The Conference Committee agreed to accept a modified version of the Senate amendment offered by Senator Henley to read as follows:

"Amend Committee Substitute for House Bill 974, on page 1, line 13, by inserting 'and time spent in the Merchant Marines while in the United States Naval Reserve' immediately before the period."

WILLIS P. WHICHARD
JOHN T. HENLEY
ROBERT B. JORDAN
Conferees on the part of the Senate

RUTH E. COOK
JOSEPH E. JOHNSON
JAMES H. EDWARDS
Conferees on the part of the House of Representatives

On motion of Senator Whichard, the Conference Report is adopted and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. B. 995, Committee Substitute for H. B. 995

HOUSE OF REPRESENTATIVES
June 28, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on H. B. 995, Committee Substitute for H. B. 995, a bill to set the speed limit for buses transporting children with special needs, to the end that when a similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,
GRACE A. COLLINS
Principal Clerk

CONFERENCE REPORT

H. B. 995

June 28, 1977

Senator Britt, for the Conferees appointed to consider the differences arising between the Senate and House of Representatives upon H. B. 995, Committee Substitute for H. B. 995, a bill to set the speed limit for buses transporting children with special needs, submits the following report:

To the President of the Senate and the Speaker of the House of Representatives:

June 28, 1977

We, the Conferees appointed to consider and resolve the difference between the two bodies with respect to **H. B. 995**, Committee Substitute for **H. B. 995**, a bill to set the speed limit for buses transporting children with special needs, respectfully report that we have conferred and agreed as follows:

TO CONCUR in Amendment No. 1 which reads as follows:

"deleting the word 'transporting' and by inserting in lieu thereof the words 'loaded with'; and"

AND TO CHANGE Amendment No. 2 to read as follows:

"that are used to transport students who are children with special needs".

And, to this end, we the said Conferees, recommend that the House of Representatives and the Senate adopt this Conference Report.

LUTHER BRITT, JR.
OLLIE HARRIS
CECIL HILL
Conferees on the part of the Senate

B. D. SCHWARTZ
PATRICIA S. HUNT
T. CLYDE AUMAN
Conferees on the part of the House of Representatives

On motion of Senator Britt the Conference Report is adopted and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. B. 1099

HOUSE OF REPRESENTATIVES
June 28, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate amendment to **H. B. 1099**, a bill to require that insurance agents of fraternal societies be subject to insurance examinations prior to licensing, and request conferees. The Speaker has appointed Representatives Miller, Nye, and Beard on the

part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,
GRACE A. COLLINS
Principal Clerk

Senator Totherow moves that the President appoint conferees, which motion prevails. The President appoints Senators Totherow, Childers, and Alford as conferees on the part of the Senate and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. B. 1099

HOUSE OF REPRESENTATIVES
June 28, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **H. B. 1099**, a bill to require that insurance agents of fraternal societies be subject to insurance examinations prior to licensing, to the end that when a similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,
GRACE A. COLLINS
Principal Clerk

CONFERENCE REPORT

H. B. 1099

June 28, 1977

Senator Alford, for the Conferees appointed to consider the differences arising between the Senate and House of Representatives upon **H. B. 1099**, a bill to require that insurance agents of fraternal societies be subject to insurance examinations prior to licensing, submits the following report:

To the President of the Senate and the Speaker of the House of Representatives:

We, the Conferees appointed to consider and resolve the difference between the two bodies with respect to **H. B. 1099**, a bill to require that insurance agents of fraternal societies be subject to insurance examinations prior to licensing, respectfully report that we have conferred and agreed as follows:

The Alford amendment be rewritten to the end that Sections 1 and 2 of the bill read as follows:

Section 1. G. S. 58-268, as the same appears in the 1975 Replacement of Volume 2B of the General Statutes, is hereby amended by adding after the period in line 11 thereof the following language and punctuation:

"Provided, organizers of agents who are engaged in or intend to engage in the sale of individual policies of life insurance shall take the examination required of life insurance agents. Those organizers or agents licensed for the sale of insurance pursuant to G. S. 58-268 as of July 1, 1977, shall be exempt from examination."

Section 2. This act shall be effective July 1, 1977.

And, to this end, we the said Conferees, recommend that the House of Representatives and the Senate adopt this Conference Rport.

DALLAS ALFORD
JACK CHILDERS
CARL TOTHEROW
Conferees on the part of the Senate

GEORGE MILLER
EDD NYE
R. D. BEARD
Conferees on the part of the House of Representatives

On motion of Senator Alford, the Conference Report is adopted and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

H. B. 746, Committee Substitute for **H. B. 746,** a bill to eliminate discrimination in the treatment of handicapped and disabled persons.

On motion of Senator Harris, the rules are suspended, and the Committee Substitute bill is taken from the **Human Resources Committee** and re-referred to the **Insurance Committee.**

H. B. 1042, Committee Substitute for **H. B. 1042,** a bill to amend Chapter 17B of the General Statutes by amending G. S. 17B-1 to include additional definitions and by adding a new section to be designated G. S. 17B-3.1 to grant to the North Carolina Criminal Justice Education and Training System Council the authority to regulate traffic upon the grounds of the North Carolina Justice Education and Training Center.

Senator Allsbrook moves that the Committee Substitute bill be taken from the table and placed on the Calendar for Wednesday, June 29, which motion prevails.

H. B. 1330, a bill to increase the compensation of certain precinct officials.

On motion of Senator McDuffie, the rules are suspended, and the bill is taken from the **Election Laws Committee** and re-referred to the **Appropriations Committee.**

H. B. 1431, a bill to regulate the transportation of spent nuclear fuel upon the highways of North Carolina.

On motion of Senator Harrington, the rules are suspended, and the bill is taken from the **Transportation Committee** and re-referred to the **Public Utilities and Energy Committee.**

H. B. 1489, a bill to increase certain fees charged by the register of deeds.

On motion of Senator Royall, the rules are suspended, and the bill is taken from the **Special Committee on Ways and Means** and re-referred to the **Finance Committee.**

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rauch for the **Finance Committee:**

H. B. 127, Committee Substitute for **H. B. 127**, a bill to revise and clarify certain provisions of the Machinery Act relating to the powers and duties of the tax supervisor, boards of equalization and review and boards of commissioners, with a favorable report.

H. B. 128, Committee Substitute for **H. B. 128**, a bill to amend and clarify the provisions of the Machinery Act, with a favorable report.

H. B. 1093, a bill to permit religious institutions to allow their parking lots to be used by the public without reducing their property tax exemption, with a favorable report.

H. B. 1281, a bill to make technical amendments to existing provisions of G. S. 105-277(f) and to G. S. 160A-399.4-5, relating to the taxation and designation of historic properties, with a favorable report.

H. B. 1299, a bill to increase the fee paid for commercial fishing licenses by nonresidents to two hundred dollars, with a favorable report.

On motion of Senator Rauch, the bill is re-referred to the **Ways and Means Committee.**

H. B. 1365, a bill to amend G. S. 14-306 as it relates to arcade amusement machines and devices, with a favorable report.

H. B. 1511, a bill to change Utilities Commission hearings transcript fees from thirty cents per page to one dollar per page, with a favorable report.

On motion of Senator Rauch, the bill is re-referred to the **Ways and Means Committee.**

By Senator Totherow for the **Insurance Committee:**

S. B. 387, a bill to amend the Constitution of North Carolina to require insurers to belong to reinsurance facilities if they write coverages in or out of the State, with an unfavorable report.

S. B. 389, a bill to amend the Constitution of North Carolina to permit the General Assembly to provide for conditions under which motor vehicle insurance agency contracts may be terminated or commissions reduced, with an unfavorable report.

S. B. 391, a bill relating to mandatory insurance risk sharing plans, with an unfavorable report.

S. B. 393, a bill to amend Article 3A of Chapter 58 of the General Statutes to include unfair claims settlement practices within the definition of unfair or deceptive acts and practices and to authorize the Commissioner of Insurance to adopt rules and regulations relative to unfair claims settlement practices and deceptive acts and practices, with an unfavorable report.

S. B. 394, a bill to require insurers to provide accident and health coverage to physically handicapped and mentally retarded persons, with an unfavorable report.

S. B. 397, a bill to provide for catastrophic health insurance benefits in policies of accident and health insurance, with an unfavorable report.

S. B. 430, a bill to amend Section 310 of Chapter 20 of the General Statutes relating to termination of insurance, with an unfavorable report.

S. B. 469, a bill to abolish monopolistic bureaus and associations and reduce the cost of rate-making and to provide for the approval of lower automobile insurance rates by the Commissioner of Insurance for those companies operated efficiently, with an unfavorable report.

S. B. 470, a bill to amend Article 25 of Chapter 58 of the General Statutes to provide insurance rate regulations for certain commercial vehicles, with an unfavorable report.

H. B. 1276, a bill to amend G. S. 58-40.2 to include insurers and licensed agents within coverage of insurance brokers bond, with a favorable report.

H. B. 1345, Committee Substitute for **H. B. 1345,** a bill to amend G. S. 58-210(4) relative to requirements for issuing group life insurance to trustees appointed by two or more employers or labor unions for the benefit of employees, with a favorable report.

By Senator Allsbrook for the **Judiciary I Committee:**

S. B. 786, a bill to exempt auction sales conducted by or on behalf of civic clubs from the coverage of General Statutes Chapter 85B, with a favorable report, as amended.

On motion of Senator White, the rules are suspended, and the bill is placed on today's Calendar.

June 28, 1977

H. B. 1009, a bill to amend G. S. 14-34.2, assault with a firearm or other deadly weapon upon law enforcement officer or fireman, with a favorable report.

By Senator Britt for the **Judiciary II Committee:**

H. B. 1206, Committee Substitute for **H. B. 1206,** a bill to amend G. S. 15A-274, issuance of order and G. S. 15A-277, service of order, with a favorable report.

H. B. 1280, a bill to allow the purchaser in a partition sale of real property to withdraw his offer to purchase within fifteen days of the order confirming the sale because of unsatisfied liens, with a favorable report.

H. B. 1325, a bill to eliminate imprisonment as punishment for a first offense of misdemeanor possession of a Schedule VI controlled substance, with a favorable report.

H. B. 1338, Committee Substitute for **H. B. 1338,** a bill to amend Chapters 160A and 153A of the General Statutes to authorize cities and counties to pay certain civil judgements against employees and officers, with a favorable report.

H. B. 1350, a bill to make the Child Day-Care Licensing Commission subject to the Administrative Procedure Act, to clarify State authority over unlicensed day-care centers, and to modify the composition of said commission to increase parent representation, with a favorable report.

H. B. 1352, a bill to provide that rules and regulations governing access to the police information network shall not prohibit an attorney in a criminal proceeding from obtaining information relevant to that criminal proceeding, with a favorable report.

H. B. 1426, Committee Substitute for **H. B. 1426,** a bill to provide that money shall not be included when computing the bond of a personal representative or testamentary trustee if it is deposited in an insured account and it may not be withdrawn without a court order, with a favorable report.

H. B. 1486, a bill to repeal G. S. 20-9(g)(4)g affecting the right of appeal of licensees denied driving privileges for physical or mental disabilities, with a favorable report.

By Senator Childers for the **Manufacturing, Labor and Commerce Committee:**

S. B. 866, a bill to amend G. S. 95-86(3)b to delete superfluous language in the Minimum Wage Act regarding those employed in domestic service, with a favorable report.

H. B. 604, Committee Substitute for **H. B. 604,** a bill to require payment of "tips" to persons for whom they are intended, with a favorable report.

H. B. 880, Committee Substitute for H. B. 880, a bill to amend G. S. 95-105 to provide a $10 fee for the periodic inspection of elevators, with a favorable report.

On motion of Senator Childers, the Committee Substitute bill is re-referred to the **Finance Committee.**

By Senator Webster for the **Public Utilities and Energy Committee:**

H. B. 1484, a bill to amend G. S. 62-138 to provide for restrictions on the use of telephone monitoring equipment, with a favorable report.

On motion of Senator Webster, the rules are suspended, and the bill is placed on today's Calendar.

By Senator Royall for the **Special Committee on Ways and Means:**

H. B. 423, Committee Substitute for H. B. 423, a bill to rewrite G. S. 14-399 relating to the crime of littering, with a favorable report.

H. B. 1038, a bill to authorize the public schools and State Board of Education to transport children with special needs to approved school programs, with a favorable report.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following special messages are received from the House of Representatives:

S. B. 185, a bill to include five years' experience as an accountant in G. S. 93-12(5), for concurrence in the House amendment.

On motion of Senator Smith of New Hanover, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

On motion of Senator Smith of New Hanover, the Senate concurs in the House amendment and the bill is ordered enrolled.

H. B. 1282, Committee Substitute for H. B. 1282, a bill to amend Article 22 of Chapter 163 of the General Statutes relating to corrupt practices and election offenses.

Referred to **Election Laws Committee.**

H. B. 1285, a bill to amend Article 22A of Chapter 163 relating to campaign contributions and expenditures.

Referred to **Election Laws Committee.**

H. B. 1527, a bill to increase the membership of the Vance County Board of Alcoholic Control.

On motion of Senator Alford, the rules are suspended, and the bill is placed on the Calendar for today.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first tme and disposed of as follows:

S. B. 152, a bill to provide a compensation schedule for trustees and fiduciaries when the creating instrument does not set out the compensation, and to make technical amendments to Chapter 32, for concurrence in the House amendment.

On motion of Senator Smith of New Hanover, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

On motion of Senator Smith of New Hanover, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 230, a bill to establish a Consumer and Advocacy Advisory Committee for the Blind, for concurrence in the House amendment which is placed on the Calendar for Wednesday, June 29.

S. B. 427, a bill to amend the Wound Reporting Law, for concurrence in the House amendment which is placed on the Calendar for Wednesday, June 29.

S. B. 504, a bill to provide a procedure for the exercise of a person's right to a natural death; and to add expressly the criterion of irreversible cessation of brain function to the other criteria for establishing a person's death, for concurrence in the House amendment.

On motion of Senator Smith of New Hanover, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

On motion of Senator Smith of New Hanover, the Senate concurs in the House amendment and the bill is ordered enrolled.

H. B. 877, a bill to increase representation on the Apprenticeship Council.

Referred to **Manufacturing, Labor and Commerce Committee.**

H. B. 1023, Committee Substitute for **H. B. 1023**, a bill to provide that money shall not be included when computing the bond of a guardian if it is deposited in an assured account and it may not be withdrawn without a court order.

Referred to **Judiciary II Committee.**

H. B. 1095, Committee Substitute for **H. B. 1095**, a bill to increase driver license points for speed violations in school zone.

Referred to **Judiciary II Committee.**

H. J. R. 1228, a joint resolution to urge the President and Congress to adhere to the fundaments of individual's rights and liberties in their relationships with foreign nations.

Referred to **Finance Committee.**

H. B. 1313, a bill to require the rendering inoperable of syringes before discarding.

Referred to **Judiciary II Committee.**

H. B. 1399, a bill to amend the Rules of Civil Procedure relating to service by publication in cases of attachment.

Referred to **Judiciary II Committee.**

H. B. 1472, a bill to amend G. S. 14-72.2 relating to the unauthorized use of a conveyance.

Referred to **Judiciary II Committee.**

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 110, House Committee Substitute for Senate Committee Substitute No. 1 for S. B. 110, a bill to prohibit setting or using traps of leg-gripping or steel-jawed or connibear type for the capturing of animals or birds in North Carolina, as amended, upon third reading.

Senator Popkin offers Amendment No. 4 which is adopted.

The House Committee Substitute bill, as amended, passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate amendments.

Senator Alexander requests to be recorded voting "aye."

S. B. 313, House Committee Substitute for S. B. 313, a bill to amend G. S. 14-71 and G. S. 14-72 to make possession of stolen goods unlawful.

On motion of Senator Soles, the House Committee Substitute bill is taken from the Calendar and referred to the **Judiciary II Committee.**

S. B. 485, Committee Substitute for S. B. 485, a bill to increase representation on the OSHA Advisory Council, for concurrence in the House amendment.

On motion of Senator Childers, the Senate concurs in the House amendment and the Committee Substitute bill is ordered enrolled.

S. B. 650, a bill to authorize the use of Powell Bill Funds for bikeway purposes, for concurrence in the House amendment.

On motion of Senator Smith of Guilford, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 760, Committee Substitute for S. B. 760, a bill to amend Chapters 7A and 48 of the General Statutes relating to adoptions and termination of parental rights, for concurrence in the House amendments.

On motion of Senator Davis, the Senate fails to concur in the House amendments.

Senator Davis moves that the President appoint conferees which motion prevails. The President appoints Senators Davis, Britt, and Sebo as conferees on the part of the Senate and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

S. B. 786, a bill to exempt auction sales conducted by or on behalf of civic clubs from the coverage of General Statutes Chapter 85B.

On motion of Senator Allsbrook, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, wtihout objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 912, a bill to delete the requirement that a licensed pilot who is otherwise qualified must serve a two-year apprenticeship before being licensed as an aerial pesticide applicator.

The bill fails to pass its second reading.

Senator Rauch moves that the vote by which the bill failed to pass its second reading be reconsidered which motion prevails.

The bill is placed on the Calendar for further consideration, upon second reading.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

H. B. 514, Senate Committee Substitute for H. B. 514, a bill to amend the child abuse and neglect laws to provide for mandatory notification of reporter after investigation, professional reporting responsibility for staff of day care centers, court review of decisions to return children to parents, and for a statewide protective services plan developed by the Department of Human Resources, for concurrence in the House amendment.

On motion of Senator Harris, the Senate concurs in the House amendment and the Senate Committee Substitute bill is ordered enrolled.

H. J. R. 563, a joint resolution directing the Legislative Research Commission to study the property tax on business inventories, as amended, upon third reading.

Senator Rauch offers Amendment No. 2 which is adopted.

The joint resolution, as amended, passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate amendments.

H. B. 712, a bill to amend the Charter of the Town of Cary.

Senator Webster offers Amendment No. 1 which is adopted.

Senator Wynne offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendments.

H. B. 926, a bill to create a special waterfowl hunting license and to increase the Migratory Waterfowl Conservation Program, upon second reading.

The bill fails to pass its second reading by roll-call vote, ayes 19, noes 24, as follows:

Those voting in the affirmative are: Senators Allsbrook, Childers, Davis, Gray, Harris, Henley, Lawing, Marvin, McDuffie, Rauch, Raynor, Renfrow, Royall, Smith of Guilford, Somers, Vickery, Whichard, White, and Wynne — 19.

Those voting in the negative are: Senators Alexander, Alford, Barnes, Britt, Combs, Daniels, Garrison, Hardison, Harrington, Hill, Jordan, Kincaid, Lake, Marion, Palmer, Popkin, Sharpe, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, and Webster — 24.

Senator Daniels moves that the vote by which the bill failed to pass its second reading be reconsidered and that that motion do lie upon the table, which motion prevails.

H. B. 1015, Committee Substitute for **H. B. 1015,** a bill to create a Nursing Home and Home for the Aged and Infirm Patients' Bill of Rights.

On motion of Senator Harris, Committee Amendment No. 1 is adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1197, a bill to increase the nonresident hunting license fee and nonresident six-day hunting license fee, upon second reading.

The bill passes its second reading by roll-call vote, ayes 35, noes 3, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Gray, Hardison, Harrington, Harris, Henley, Hill, Marion, Marvin, Palmer, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Swain, Vickery, Webster, Whichard, White, and Wynne — 35.

Those voting in the negative are: Senators Garrison, Jordan, and Popkin — 3.

The bill remains on the Calendar upon third reading.

H. B. 1298, a bill to provide that a lien for storage pursuant to an express contract may be enforced within 120 days of default.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1334, Committee Substitute for **H. B. 1334,** a bill to amend G. S. 50-6 to provide that a plea of recrimination shall not be a bar to a party obtaining a divorce on the grounds of one year separation.

On motion of Senator Britt, Committee Amendments No. 1 and No. 2 are adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendments.

H. B. 1337, a bill to prevent killing cougars and to establish a penalty for violation, upon third reading.

The bill passes its third reading by roll-call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Kincaid, Lake, Lawing, Marion, Marvin, Mathis, Palmer, Rauch, Renfrow, Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, and Wynne — 38.

The bill is ordered enrolled.

H. B. 1340, a bill to provide for the self proving of attested written wills.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1358, Senate Committee Substitute for **H. B. 1358**, a bill to amend G. S. 66-58 to provide that vocational educational nursery classes may sell bedding plants grown as a part of the programs, upon third reading.

On motion of Senator Raynor, consideration of the Senate Committee Substitute bill is postponed until Wednesday, June 29.

H. B. 1359, a bill to amend Chapter 127A of the General Statutes to provide for the awarding of civilian service medals and awards for services rendered to the North Carolina National Guard.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1378, Committee Substitute for **H. B. 1378**, a bill to amend the Medical Practice Act.

On motion of Senator Britt, Committee Amendment No. 1 is adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1455, a bill to amend the Law Enforcement Officers', Firemen's, Rescue Squad Workers', and Civil Air Patrol Members' Death Benefit Act.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1466, a bill to rewrite G. S. 28A-14-3 regarding notice to and the barring of claims of creditors of decedents.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1484, a bill to amend G. S. 62-138 to provide for restrictions on the use of telephone monitoring equipment.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1510, a bill to amend the State-County Special Assistance for Adults Program established by G. S. 108-62 to make county participation mandatory with respect to eligible persons in domiciliary care needing supplemental payments.

The bill passes its second reading.

On objection of Senator Hill to its third reading, the bill remains on the Calendar.

H. B. 1520, a bill to amend G. S. 69-25.5 concerning expenditures of fire protection district taxes in Bladen County.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1527, a bill to increase the membership of the Vance County Board of Alcoholic Control.

The bill passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 204, Committee Substitute for S. B. 204, an act to create a new Chapter 78B concerning tender offers.

S. B. 220, an act to clarify the North Carolina Foreign Trade Zone Act.

S. B. 685, an act to amend the Housing Authorities Law, Article 1 of Chapter 157 of the General Statutes, with respect to G. S. 157-9, G. S. 157-15, G. S. 157-17, G. S. 157-25 and G. S. 157-26 thereof.

S. B. 695, an act to provide for the interchange of governmental employees to be known as the North Carolina Interchange of Governmental Employees Act of 1977.

S. B. 906, an act to amend G. S. 20-42 pertaining to acknowledgements of signatures by employees of the Division of Motor Vehicles.

H. B. 124, Committee Substitute for H. B. 124, an act to prohibit setting or using trap of leg-gripping or connibear type in Alleghany, Avery, Cleveland, Forsyth, Mitchell, Moore, Nash, Stokes, and Yadkin Counties.

H. B. 356, Committee Substitute for H. B. 356, an act to amend Chapter 7A of the General Statutes pertaining to the judicial procedure applicable to juveniles to allow the appointment of an attorney as guardian ad litem for any child alleged to be neglected.

H. B. 432, Committee Substitute for H. B. 432, an act to make unlawful the alteration, destruction, or removal of serial numbers or other permanent identification marks from personal property and to make unlawful the sale, purchase or possession of property on which the serial number or permanent identification mark has been so altered, destroyed, or removed; and set the punishment therefor.

H. B. 504, Committee Substitute for H. B. 504, an act to amend Chapter 39 of the General Statutes relating to conveyances, to allow conveyances of real property to or by a business trust.

H. B. 904, an act to provide for videotaping of depositions.

H. B. 949, Committee Substitute for H. B. 949, an act to define the responsibility for maintenance of residential rental units.

H. B. 1119, an act to reorganize the Department of Natural and Economic Resources as the Department of Natural Resources and Community Development; to create a North Carolina Employment and Training Council in the Department of Natural Resources and Community Development; and to make necessary conforming changes.

H. B. 1139, an act to make certain dangerous activities at athletic contests and sports events a misdemeanor.

H. B. 1214, an act to provide for the issuance of special registration plates for members of fire departments and rescue squads.

H. B. 1254, an act to amend the fees for registration of land titles.

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H. B. 1263, an act to revise the Municipal Service District Act of 1973.

H. B. 1336, an act to repeal G. S. 1-182 relating to putting jury instructions in writing in criminal actions.

H. B. 1372, Committee Substitute for H. B. 1372, an act to provide a dismissal-with-leave procedure for fugitives who flee the jurisdiction of the court.

H. B. 1411, an act to include the word "commitment" in the preamble to G. S. 24-1.1 and to add said preamble to G. S. 24-1.2.

H. J. R. 1459, a joint resolution requesting the State Board of Education to encourage local school administrative units to provide first aid training for school personnel and students in the high schools.

H. B. 1468, an act to state the interest rate ceiling on certain small business loans and certain loans secured by property used for nonprofit purposes.

H. B. 1512, an act to clarify Chapter 460 of the 1977 Session Laws relating to the authority of the Department of Transportation to condemn real property.

On motion of Senator Rauch, the Senate adjourns to meet tomorrow at 1:00 P.M.

ONE HUNDRED TWENTY-FIRST DAY

SENATE CHAMBER,
Wednesday, June 29, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, we never cease to wonder at Thy love for us, and Thy great patience with us. May Thy gracious dealings with us, Thy children, cause us to be more patient and understanding of one another. Help us to be among those who are always eager to believe the best about our fellow humanity — ready to forgive and anxious to be supportive of any who are weak. And to Thee shall be the praise. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants a leave of absence to Senator Winters for today, and to Senator Mathis for Friday, July 1. Leaves of absence granted previously to Senators Crawford and Scott are noted.

The President extends courtesies of the gallery to the Honorable Edward McKnight, former Representative from Forsyth County, and to the Honorable John J. Hunt, former Representative from Cleveland County.

CONFERENCE REPORT

H. B. 658, Committee Substitute for H. B. 658 — June 29, 1977

Senator Totherow, for the Conferees appointed to consider the differences arising between the Senate and House of Representatives upon H. B. 658, Committee Substitute for H. B. 658, a bill to repeal Articles 13, 13A, 13B, and 25 of General Statutes Chapter 58 relating to the Fire Insurance Rating Bureau, fire and casualty insurance rate regulations, and regulation of automobile liability insurance rates; to provide a new method of rate regulation; and to amend Chapters 58 and 97 to consolidate the functions of the Fire Insurance Rating Bureau, the Compensation Rating and Inspection Bureau, and the Automobile Rate Administrative Office; and to assure the proper operation of the North Carolina Reinsurance Facility on a sustaining but nonprofit basis, submits the following report:

To the President of the Senate and the Speaker of the House of Representatives:

We, the Conferees appointed to consider and resolve the differences between the two bodies with respect to Senate amendments for H. B. 658, Committee Substitute for H. B. 658, a bill to repeal Articles 13, 13A, 13B, and 25 of General Statutes Chapter 58 relating to the Fire Insurance Rating Bureau, fire and casualty insurance rate regulations, and regulation of automobile liability insurance rates; to provide a new method of rate regulation; and to amend Chapters 58 and 97 to consolidate the functions of the Fire Insurance Rating Bureau, the Compensation Rating and Inspection Bureau, and the Automobile Rate Administrative Office; and to assure the proper operation of the North Carolina Reinsurance Facility on a sustaining but nonprofit basis, respectfully report that we have conferred and agreed as follows:

Amendment No. 1 — rewritten to read as follows:

"Sec. 9 G. S. 58-30.4 as the same appears in the 1975 Cumulative Supplement to Volume 2B of the General Statutes of North Carolina is hereby amended to read as follows:

The North Carolina Rate Bureau shall promulgate a revised basic classification plan and a revised subclassification plan for coverages on private passenger (non-fleet) motor vehicles in this State affected by the provisions of G. S. 58-30.3. Said revised basic classification plan will provide for the

following four basic classifications to-wit: (i) pleasure use only; (ii) pleasure use except for driving to and from work; (iii) business use; and (iv) farm use. The North Carolina Rate Bureau shall promulgate a revised subclassification plan which appropriately reflects the statistical driving experience and exposure of insureds in each of the four basic classifications provided for above, except that no subclassification shall be promulgated based, in whole or in part, directly or indirectly, upon the age or sex of the person insured. Such revised subclassification plan may provide for premium surcharges for insureds having less than two (2) years' driving experience as licensed drivers, and shall provide for premium surcharges for drivers having a driving record consisting of a record of a chargeable accident or accidents, or having a driving record consisting of a conviction or convictions for a moving traffic violation or violations, or any combination thereof, and the premium income from insureds subject to this premium surcharge shall provide not less than one fourth of the total premium income of insurers in writing and servicing the aforesaid coverages in the State. The classification, plans and subclassification plans so promulgated by the Bureau shall be subject to the filing, hearing, disapproval, review and appeal procedures before the Commissioner and the Courts as provided for rates and classificaton plans in G. S. 58-128, G. S. 58-129, and G. S. 58-130."

Amendments No. 2 and No. 3 — rewritten to read as follows:

Amend Committee Substitute for House Bill 658 on page 36, lines 8 through 28, pages 37, 38 and 39, lines 1 through 24 by amending subdivision (6) to read as follows:

"(6) Upon the request of any licensed fire and casualty agent meeting any two of the standards set forth below as determined by the Commissioner of Insurance within 10 days of the receipt of the application, the Facility shall contract with one or more members within 20 days of receipt of the determination to appoint such licensed fire and casualty agent as designated agents in accordance with reasonable rules as are established by the plan of operation. Such standards shall be:

a. whether the agent's evidence establishes that he has been conducting his business in a community for a period of at least one year;

b. whether the agent's evidence establishes that he has a gross premium volume during the 13 months next preceding the date of his application of at least twenty thousand dollars ($20,000) from motor vehicle insurance;

c. whether the agent's evidence establishes that the number of eligible risks served by him during the 13 months next preceding the date of his application was 200 or more;

d. whether the agent's evidence establishes a growth in eligible risks served and premium volume during his years of service as an agent;

e. whether the agent's evidence establishes that he made available to eligible risks premium financing or any other plan for deferred payment of premiums.

If no insurer is willing to contract with any such agent on terms acceptable to the Board, the Facility shall license such agents to write directly on behalf of the Facility. However, for this purpose, the Facility does not act as an insurer, but only as the statutory agent of all the members of the Facility which shall be bound on risks written by the Facility's appointed agent. Adequate provision shall be made by the Facility to assure that business produced by designated agents which would meet the underwriting criteria of the company shall be written at the voluntary rate and not at the Facility rate if higher. The Facility may contract with one or more servicing carriers and shall promulgate fair and reasonable underwriting procedures to require that business produced by Facility agents and written through said carriers shall be appropriately classified and rated. To this end, the same underwriting criteria for classification and rates used for its voluntary agents shall be used by the servicing carrier servicing such Facility agents in order to determine whether the voluntary rate or the Facility rate shall apply. All business produced by designated agents or Facility agents may be ceded to the Facility."

Amendment No. 6 — rewritten to read as follows:

Amend Committee Substitute for House Bill 658 on page 45, line 17 to read as follows:

changing the numbers "1979" to "1980", and by adding the following:

"and shall not affect any existing policy during the existing term of said policy."

And, to this end, we the said Conferees, recommend that the House of Representatives and the Senate adopt this Conference Report.

CARL D. TOTHEROW
ROBERT B. JORDAN
W. CRAIG LAWING
Conferees on the part of the Senate

W. M. SHORT
JUDSON D. DERAMUS, JR.
A. HARTWELL CAMPBELL
Conferees on the part of the House of Representatives

Senator Swain moves that consideration of the Conference Report be postponed until Thursday, June 30, which motion fails to prevail.

On motion of Senator Totherow, the Conference Report is adopted and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

June 29, 1977

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

H. B. 658, Committee Substitute for H. B. 658

HOUSE OF REPRESENTATIVES
June 29, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on H. B. 658, Committee Substitute for H. B. 658, a bill to repeal Articles 13, 13A, 13B, and 25 of General Statutes Chapter 58 relating to the Fire Insurance Rating Bureau, fire and casualty insurance rate regulations, and regulation of automobile liability insurance rates; to provide a new method of rate regulation; and to amend Chapters 58 and 97 to consolidate the functions of the Fire Insurance Rating Bureau, the Compensation Rating and Inspection Bureau, and the Automobile Rate Administrative Office; and to assure the proper operation of the North Carolina Reinsurance Facility on a sustaining but nonprofit basis, to the end that when a similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,
GRACE A. COLLINS
Principal Clerk

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following Special Message is received from the House of Representatives:

S. B. 110, House Committee Substitute for Senate Committee Substitute No. 1 for S. B. 110

HOUSE OF REPRESENTATIVES
June 29, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate amendment to S. B. 110, House Committee Substitute for Senate Committee Substitute No. 1 for S. B. 110, a bill to prohibit setting or using trap of leg-gripping, steel-jawed or connibear type for the capturing of animals or birds in North Carolina, and requests conferees. The Speaker has appointed Representatives W. S. White, Church, and Watkins on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,
GRACE A. COLLINS
Principal Clerk

Senator Smith of New Hanover moves that the President appoint Conferees, which motion prevails. The President appoints Senators Smith of Guilford, Popkin, and Daniels as conferees on the part of the Senate and a

message is ordered sent to the House of Representatives informing that Honorable Body of such action.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following Special Message is received from the House of Representatives:

S. B. 760, Committee Substitute for S. B. 760

HOUSE OF REPRESENTATIVES
June 29, 1977

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House amendment to S. B. 760, Committee Substitute for S. B. 760, a bill to amend Chapters 7A and 48 of the General Statutes relating to adoptions and termination of parental rights, the Speaker has appointed as conferees on the part of the House, Representatives Ezzell, Watkins, and Hunt to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,
GRACE A. COLLINS
Principal Clerk

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following Special Message is received from the House of Representatives:

H. B. 948

HOUSE OF REPRESENTATIVES
June 29, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on H. B. 948, a bill to clarify the Retail Installment Sales Act regarding security interests in property sold under revolving charge account contracts, to the end that when a similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,
GRACE A. COLLINS
Principal Clerk

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following Special Message is received from the House of Representatives:

H. B. 1015, Committee Substitute for H. B. 1015

HOUSE OF REPRESENTATIVES
June 29, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate amendment to H. B. 1015, Committee Substitute for H. B. 1015, a bill to create a Nursing Home and Home for the Aged and Infirm Patients' Bill of Rights, and requests conferees. The Speaker has appointed Representatives Barker, Pickler, and Helms on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,
GRACE A. COLLINS
Principal Clerk

Senator Harris moves that the President appoint conferees, which motion prevails. The President appoints Senators Harris, Barnes, and Whichard as conferees on the part of the Senate and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator White for the **Agriculture Committee:**

H. B. 656, a bill prohibiting the North Carolina Agricultural Extension Service from refusing to employ persons otherwise qualified, in their home county, with a favorable report.

On motion of Senator White, the rules are suspended, and the bill is placed on today's Calendar.

By Senator Rauch for the **Finance Committee:**

H. B. 880, Committee Substitute for **H. B. 880**, a bill to amend G. S. 95-105 to provide a $10 fee for the periodic inspection of elevators, with a favorable report.

On motion of Senator Rauch, the Committee Substitute bill is re-referred to the **Ways and Means Committee.**

By Senator Britt for the **Judiciary II Committee:**

S. B. 13, a bill to require a speedy trial for defendents, without prejudice.

On motion of Senator Britt, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 33, a bill to insure the speedy trial of persons charged with criminal offenses, without prejudice.

June 29, 1977

On motion of Senator Britt, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 313, House Committee Substitute for S. B. 313, a bill to amend G. S. 14-71 and G. S. 14-72 to make possession of stolen goods unlawful, with a favorable report, as amended.

S. B. 832, a bill providing for mandatory prison confinement for any person convicted of more than one felony, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Britt, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

H. B. 1023, Committee Substitute for H. B. 1023, a bill to provide that money shall not be included when computing the bond of a guardian if it is deposited in an insured account and it may not be withdrawn without a court order, with a favorable report.

H. B. 1095, Committee Substitute for H. B. 1095, a bill to increase driver license points for speed violations in school zone, with a favorable report, as amended.

H. B. 1313, a bill to require the rendering inoperable of syringes before discarding, with a favorable report.

H. B. 1399, a bill to amend the Rules of Civil Procedure relating to service by publication in cases of attachment, with a favorable report.

By Senator Webster for the **Public Utilities and Energy Committee:**

H. B. 1431, a bill to regulate the transportation of spent nuclear fuel upon the highways of North Carolina, with a favorable report.

On motion of Senator Webster, the rules are suspended, and the bill is placed on today's Calendar.

By Senator Royall for the **Special Committee on Ways and Means:**

H. B. 1151, a bill to promote the acquisition by the State of buildings and space in buildings having historic, architectural or cultural significance, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

H. B. 335, Committee Substitute for H. B. 335, a bill to repeal the three year statute of limitations on suits to recover real property sold for nonpayment of taxes.

On motion of Senator Allsbrook, the rules are suspended and the Committee Substitute bill is taken from the **Judiciary I Committee** and re-referred to the **Finance Committee.**

H. B. 880, Committee Substitute for H. B. 880, a bill to amend G. S. 95-105 to provide a $10 fee for the periodic inspection of elevators.

Pursuant to Rule 41.1 Senator Rauch moves that the rules be suspended and the Committee Substitute bill be taken from the **Ways and Means Committee** and placed on the Calendar for Thursday, June 30, which motion prevails.

H. B. 1048, Committee Substitute for **H. B. 1048,** a bill to waive apprenticeship for cosmetology applicants with 1500 hours of cosmetology education.

On motion of Senator Allsbrook, the rules are suspended, and the Committee Substitute bill is taken from the **Judiciary I Committee** and re-referred to the **Judiciary II Committee.**

H. B. 1493, a bill to amend provisions of Chapter 160A of the General Statutes to eliminate inconsistencies, clarify provisions, and improve administrative procedures.

On motion of Senator Soles, the rules are suspended, and the bill is taken from the **Local Government and Regional Affairs Committee** and is placed on the Calendar for Thursday, June 30.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Davis:

S. B. 913, a bill to amend G. S. 24-1.1A concerning contract rights on home loans secured by first mortgages or deeds of trust without a time limit where the lender is a bank.

Referred to **Banking Committee.**

By Senator Stallings:

S. B. 914, a bill to provide that the theft of cable television service shall be a misdemeanor.

Referred to **Judiciary II Committee.**

By Senator Henley:

S. J. R. 915, a joint resolution providing for adjournment of the 1977 General Assembly on July 1, 1977, at 6:00 P.M., to reconvene for a Second Session in 1978 for review of the budget for fiscal year 1978-1979 and for consideration of certain other bills.

On motion Senator Henley, the rules are suspended, and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second and third readings and is ordered sent to the House of Representatives by special messenger.

By Senator Daniels:

S. B. 916, an act to appropriate funds for the Watershed Improvement Project at Bear Swamp in Chowan and Perquimans Counties.

Referred to **Appropriations Committee.**

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following special messages are received from the House of Representatives:

S. B. 199, a bill to amend Chapter 84 of the General Statutes of North Carolina relating to attorneys, for concurrence in the House amendments which is placed on the Calendar for Thursday, June 30.

S. B. 318, Committee Substitute for S. B. 318, a bill to require a mandatory five-year minimum sentence upon conviction of a felony involving the use of a firearm, for concurrence in the House amendment which is placed on the Calendar for Thursday, June 30.

S. B. 453, Committee Substitute for S. B. 453, a bill to regulate the handling of tenant security deposits in residential dwelling units, for concurrence in the House amendment which is placed on the Calendar for Thursday, June 30.

S. B. 460, Committee Substitute for S. B. 460, a bill providing for the review of administrative rules, for concurrence in the House amendment which is placed on the Calendar for Thursday, June 30.

H. B. 38, a bill to remove the Advisory Budget Commission's exemption from the open meetings law, Article 33B of G. S. Chapter 143.
Referred to **Special Committee on Ways and Means.**

H. B. 361, Committee Substitute for H. B. 361, a bill to require corporations to make declarations of estimated income tax and installment payments of estimated income tax and to provide for capital improvements for the Department of Correction, the Department of Human Resources, the Department of Public Education, the Department of Community Colleges, and the University of North Carolina.
Referred to **Finance Committee.**

H. B. 928, Committee Substitute for H. B. 928, a bill to amend G. S. 54-33.3 to allow fewer than ten State chartered savings and loan associations to invest in service corporations and to allow the administrator to approve permitted data processing activities of such service corporations.
Referred to **Banking Committee.**

H. B. 1002, Committee Substitute No. 2 for H. B. 1002, a bill to outlaw carrying weapons into assemblies and establishments where intoxicating liquors are sold and consumed.
Referred to **Judiciary II Committee.**

H. B. 1222, a bill to make certain provisions of "The Uniform Wage Payment Law of North Carolina" apply to all employers and employees.
Referred to **Manufacturing, Labor and Commerce Committee.**

H. B. 1404, a bill to amend the Felony Firearms Act to include drug violators, add weapons of mass death and destruction to the ones felons are

prohibited to possess, make the Act again applicable to out-of-state felony-level offenses.

Referred to **Judiciary II Committee.**

H. B. 1408, a bill to clarify the elements of the crime of safecracking, make it apply when the safe or vault is unlawfully opened without the use of force, and extend the crime to cover haulaways.

Referred to **Judiciary II Committee.**

H. B. 1491, a bill to repeal G. S. 45-40 concerning the entry of satisfaction on the real property indexes.

Referred to **Judiciary II Committee.**

H. J. R. 1503, a joint resolution creating a Committee for the study of the laws relating to the conservation of wildlife resources in order to make recommendations to the General Assembly for revision and consolidation.

Referred to **Rules and Operation of the Senate Committee.**

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 515, a bill prohibiting discrimination in business based upon foreign trade relationships and certain other factors, for concurrence in the House amendment which is placed on the Calendar for Thursday, June 30.

S. B. 539, Committee Substitute for **S. B. 539,** a bill to provide for the civil abatement of nuisances including obscene matter, for concurrence in the House amendments.

On motion of Senator Lake, the rules are suspended, and the Committee Substitute bill is placed before the Senate for immediate consideration.

On motion of Senator Lake, the Senate concurs in the House amendments and the Committee Substitute bill is ordered enrolled.

S. B. 660, a bill to prohibit the unauthorized use of a motor-propelled conveyance, for concurrence in the House amendments which is placed on the Calendar for Thursday, June 30.

S. B. 725, a bill to create in the Department of Administration an Advocacy Council for the mentally ill and developmentally disabled, for concurrence in the House amendment.

On motion of Senator Walker, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

On motion of Senator Walker, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 746, House Committee Substitute for Senate Committee Substitute for **S. B. 746,** a bill to provide limitation on actions for damages for personal

injury, death or damage to property resulting from the use of products, and to abolish the privity rule in contract.

Referred to **Judiciary I Committee.**

S. B. 808, a bill to add the President of the student government or the chairman of the executive board of the student body of each community college, technical institute, and industrial education center established pursuant to G. S. 115-A to the board of trustees of said institutions as *ex officio* voting members, for concurrence in the House amendment.

On motion of Senator Renfrow, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

On motion of Senator Renfrow, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 863, a bill to prevent fraudulent and deceptive practices in the sale of business opportunities, for concurrence in the House amendment.

On motion of Senator Jordan, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

On motion of Senator Jordan, the Senate fails to concur in the House amendment.

Senator Jordan moves that the President appoint conferees, which motion prevails. The President appoints Senators Jordan, Somers, and Smith of New Hanover as conferees on the part of the Senate and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

H. B. 141, Committee Substitute for H. B. 141, a bill to amend Articles 9 and 27 of Chapter 105 of the General Statutes providing for releases, refunds and suits for recovery of taxes.

Referred to **Finance Committee.**

H. B. 607, a bill to classify solar energy systems for ad valorem tax purposes.

Referred to **Finance Committee.**

H. B. 627, Committee Substitute for H. B. 627, a bill to prohibit the public display of sexually explicit material for sale in business establishments.

Referred to **Judiciary I Committee.**

H. B. 740, a bill to reduce the maximum workmen's compensation payable for the death of a minor without dependents.

Referred to **Manufacturing, Labor and Commerce Committee.**

H. B. 802, Committee Substitute for H. B. 802, a bill repealing the criminal offense of public drunkenness and granting authority to assist persons who become intoxicated in public.

Referred to **Appropriations Committee.**

H. B. 879, Committee Substitute for H. B. 879, a bill to make the Chairman of the Safety and Health Review Board a full-time employee of the State.

Referred to **Manufacturing, Labor and Commerce Committee.**

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H. B. 905, a bill to provide for use of depositions.
Referred to **Judiciary II Committee.**

H. B. 961, Committee Substitute for **H. B. 961**, a bill to regulate the number of adult establishments in any one building.
Referred to **Judiciary II Committee.**

H. B. 1033, a bill to extend conditions of termination of parental rights.
Referred to **Judiciary II Committee.**

H. B. 1074, Committee Substitute for **H. B. 1074**, a bill to amend G. S. 7A-284 to authorize district court judges to issue oral immediate custody orders in certain child abuse cases.
Referred to **Judiciary II Committee.**

H. B. 1152, a bill to impose the one percent, eighty dollar maximum sales and use tax rate upon certain sales of mill machinery to contractors.
Referred to **Ways and Means Committee.**

H. B. 1156, a bill to amend G. S. 20-218 pertaining to school activity bus speed limits.
Referred to **Judiciary II Committee.**

H. B. 1198, a bill to amend Article 16 of Chapter 14 of the General Statutes to provide for the seizure of motor vehicles knowingly used to transport stolen property.
Referred to **Judiciary II Committee.**

H. B. 1233, a bill authorizing the North Carolina Department of Agriculture to regulate the processing and marketing of pen-raised quail.
Referred to **Agriculture Committee.**

H. B. 1306, Committee Substitute for **H. B. 1306**, a bill validating certain deeds executed by counties before January 1, 1977.
Referred to **Judiciary II Committee.**

H. B. 1318, a bill to clarify the three hundred dollar exemption for individually owned personal property.
Referred to **Finance Committee.**

H. B. 1335, a bill to provide for injury claims of transported pupils without regard to fault.
Referred to **Judiciary II Committee.**

H. B. 1373, a bill to require any counsel of record in a criminal case who has made a general entry in the case to continue to serve until released by the court.
Referred to **Judiciary II Committee.**

H. B. 1394, a bill to amend G. S. 8-53 to allow a deceased's next of kin, when the estate is unadministered, to authorize the release of confidential information contained in deceased's medical records.
Referred to **Judiciary II Committee.**

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H. B. 1412, a bill to amend G. S. 105-275 (10) and (11) to clarify the classification of personal property stored in public warehouses for ad valorem tax purposes.

Referred to **Finance Committee.**

H. B. 1424, a bill to clarify the provisions of the statutes relating to mobile home permits.

Referred to **Finance Committee.**

S. B. 199, a bill to amend Chapter 84 of the General Statutes of North Carolina relating to attorneys.

On motion of Senator Whichard, the rules are suspended, and the bill is taken from the Calendar for Thursday, June 30, and is placed on the Calendar for today for concurrence in the House amendments.

H. B. 1473, a bill to amend Chapter 869, Session Laws of 1975 to clarify the exercise of the power of eminent domain by the City of Fayetteville.

On motion of Senator Soles, the rules are suspended, and the bill is taken from the **Local Government and Regional Affairs Committee** and is placed on the Calendar for today.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S.B. 863

HOUSE OF REPRESENTATIVES
June 29, 1977

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House amendment to S. B. 863, a bill to prevent fraudulent and deceptive practices in the sale of business opportunities, the Speaker has appointed as conferees on the part of the House, Representatives Miller, McMillan, and Barbee to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,
GRACE A. COLLINS
Principal Clerk

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 199, a bill to amend Chapter 84 of the General Statutes of North Carolina relating to attorneys, for concurrence in the House amendments.

On motion of Senator Whichard, the Senate concurs in the House amendments and the bill is ordered enrolled.

S. B. 230, a bill to establish a Consumer and Advocacy Advisory Committee for the Blind, for concurrence in the House amendment.

On motion of Senator Whichard, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 427, a bill to amend the Wound Reporting Law, for concurrence in the House amendments.

On motion of Senator Britt, the Senate concurs in the House amendments and the bill is ordered enrolled.

S. B. 832, Committee Substitute for S. B. 832, a bill providing for mandatory prison confinement for any person convicted of more than one felony.

On motion of Senator Britt, the Committee Substitute bill is adopted, and on his further motion, the rules are suspended, and the Committee Substitute bill remains on the Calendar for today.

Senator Smith of New Hanover offers Amendment No. 1 which is adopted.

Senator Sharpe offers Amendment No. 2 which he subsequently withdraws.

Senator Sharpe offers Amendment No. 3 which is adopted.

Senator Garrison offers Amendment No. 4.

Senator Garrison calls the previous question, duly seconded. The call is sustained.

Amendment No. 4 is adopted.

Senator Garrison calls the previous question, duly seconded. The call is sustained.

The Committee Substitute bill, as amended, passes its second reading.

On motion of Senator Britt, the rules are suspended, and the Committee Substitute bill, as amended, remains on the Calendar upon third reading.

Senator Soles offers Amendment No. 5 which is adopted.

Senator Smith of Guilford offers Amendment No. 6 which is adopted.

The Committee Substitute bill, as amended, passes its third reading and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 866, a bill to amend G. S. 95-86(3)b to delete superfluous language in the Minimum Wage Act regarding those employed in domestic service.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 127, Committee Substitute for H. B. 127, a bill to revise and clarify certain provisions of the Machinery Act relating to the powers and duties of the tax supervisor, boards of equalization and review and boards of commissioners, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Harris, Henley, Hill, Jordan, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, and Wynne — 38.

The Committee Substitute bill remains on the Calendar upon third reading.

June 29, 1977

H. B. 128, Committee Substitute for **H. B. 128**, a bill to amend and clarify the provisions of the Machinery Act, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Hardison, Harris, Henley, Hill, Jordan, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, and Wynne — 39.

The Committee Substitute bill remains on the Calendar upon third reading.

H. B. 423, Committee Substitute for **H. B. 423**, a bill to rewrite G. S. 14-399 relating to the crime of littering, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 37, noes 4, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Henley, Hill, Jordan, Lake, Marion, Marvin, Mathis, McDuffie, Palmer, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Totherow, Vickery, Walker, Whichard, White, and Wynne — 37.

Those voting in the negative are: Senators Hardison, Harris, Popkin, and Swain — 4.

The Committee Substitute bill remains on the Calendar upon third reading.

H. B. 576, Committee Substitute for **H. B. 576**, a bill providing for mandatory prison confinement for persons convicted of armed robbery.

The Committee Substitute bill passes its second reading.

On objection of Senator Gray to its third reading the Committee Substitute bill remains on the Calendar.

H. B. 604, Committee Substitute for **H. B. 604**, a bill to require payment of "tips" to persons for whom they are intended.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 656, a bill prohibiting the North Carolina Agricultural Extension Service from refusing to employ persons otherwise qualified, in their home county.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1009, a bill to amend G. S. 14-34.2, assault with a firearm or other deadly weapon upon law enforcement officer or fireman.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1038, a bill to authorize the public schools and State Board of Education to transport children with special needs to approved school programs.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1042, Committee Substitute for **H. B. 1042**, a bill to amend Chapter 17B of the General Statutes by amending G. S. 17B-1 to include additional definitions and by adding a new section to be designated G. S. 17B-3.1 to grant to the North Carolina Criminal Justice Education and Training System Council the authority to regulate traffic upon the grounds of the North Carolina Justice Education and Training Center.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 1093, a bill to permit religious institutions to allow their parking lots to be used by the public without reducing their property tax exemption, upon second reading.

The bill passes its second reading by roll-call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Lake, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Sebo, Sharpe, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, and Wynne — 41.

The bill remains on the Calendar upon third reading.

H. B. 1151, Senate Committee Substitute for **H. B. 1151**, a bill to promote the acquisition by the State of buildings and space in buildings having historic, architectural or cultural significance.

On motion of Senator Royall, the Senate Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Thursday, June 30.

H. B. 1197, a bill to increase the nonresident hunting license fee and nonresident six-day hunting license fee, upon third reading.

On motion of Senator Rauch, the bill is recommitted to the **Finance Committee.**

H. B. 1206, Committee Substitute for **H. B. 1206**, a bill to amend G. S. 15A-274, issuance of order and G. S. 15A-277, service of order.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 1276, a bill to amend G. S. 58-40.2 to include insurers and licensed agents within coverage of insurance brokers bond, upon second reading.

The bill passes its second reading by roll-call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Lake, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Renfrow, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Vickery, Walker, Webster, Whichard, White, and Wynne — 40.

The bill remains on the Calendar upon third reading.

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H. B. 1280, a bill to allow the purchaser in a partition sale of real property to withdraw his offer to purchase within fifteen days of the order confirming the sale because of unsatisfied liens.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1281, a bill to make technical amendments to existing provisions of G. S. 105-277(f) and to G. S. 160A-399.4-5 relating to the taxation and designation of historic properties, upon second reading.

The bill passes its second reading by roll-call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Ballenger, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Harris, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Stallings, Totherow, Walker, Webster, Whichard, White, and Wynne — 40.

The bill remains on the Calendar upon third reading.

H. B. 1325, a bill to eliminate imprisonment as punishment for a first offense of misdemeanor possession of a Schedule VI controlled substance.

Senator Marion moves that the bill be re-referred to the **Human Resources Committee**, which motion fails to prevail.

Senator Britt calls the previous question, duly seconded. The call is sustained.

The bill passes its second reading.

Senator Harris objects to the third reading of the bill.

Senator Smith of Guilford moves that the rules be suspended to the end that the bill may be considered upon third reading, which motion fails to prevail and the bill remains on the Calendar.

H. B. 1338, Committee Substitute for **H. B. 1338**, a bill to amend Chapters 160A and 153A of the General Statutes to authorize cities and counties to pay certain civil judgements against employees and officers.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 1345, Committee Substitute for **H. B. 1345**, a bill to amend G. S. 58-210(4) relative to requirements for issuing group life insurance to trustees appointed by two or more employers or labor unions for the benefit of employees.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 1350, a bill to make the Child Day-Care Licensing Commission subject to the Administrative Procedure Act, to clarify State authority over unlicensed day-care centers, and to modify the composition of said Commission to increase parent representation.

Senator Smith of New Hanover offers Amendment No. 1.

Senator Smith of New Hanover calls the previous question, duly amended. The call is sustained.

Amendment No. 1 is adopted.

Senator Renfrow offers Amendment No. 2.

On motion of Senator Smith of New Hanover, consideration of the bill, as amended, and pending Amendment No. 2 are postponed until Thursday, June 30, with a working copy ordered.

H. B. 1352, a bill to provide that rules and regulations governing access to the police information network shall not prohibit an attorney in a criminal proceeding from obtaining information relevant to that criminal proceeding.

The bill passes its second reading.

Senator Alexander objects to the third reading of the bill.

Senator Britt moves that the rules be suspended to the end that the bill may be considered upon third reading, which motion prevails.

The bill passes its third reading and is ordered enrolled.

H. B. 1358, Senate Committee Substitute for H. B. 1358, a bill to amend G. S. 66-58 to provide that vocational educational nursery classes may sell bedding plants grown as a part of the programs, upon third reading.

The Senate Committee Substitute bill passes its third reading and is ordered sent to the House of Representatives for consideration of the Senate Committee Substitute bill.

H. B. 1365, a bill to amend G. S. 14-306 as it relates to arcade amusement machines and devices.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1426, Committee Substitute for H. B. 1426, a bill to provide that money shall not be included when computing the bond of a personal representative or testamentary trustee if it is deposited in an insured account and it may not be withdrawn without a court order, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Ballenger, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Harris, Henley, Hill, Jordan, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, and Wynne — 38.

The Committee Substitute bill remains on the Calendar upon third reading.

H. B. 1431, a bill to regulate the transportation of spent nuclear fuel upon the highways of North Carolina.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1473, a bill to amend Chapter 869, Session Laws of 1975 to clarify the exercise of the power of eminent domain by the City of Fayetteville.

Senator Soles offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives for concurrence in the Senate amendment by special messenger.

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H. B. 1486, a bill to repeal G. S. 20-9(g)(4)g affecting the right of appeal of licensees denied driving privileges for physical or mental disabilities.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1510, a bill to amend the State-County Special Assistance for Adults Program established by G. S. 108-62 to make county participation mandatory with respect to eligible persons in domiciliary care needing supplemental payments, upon third reading.

The bill passes its third reading.

Senator Harris moves that the vote by which the bill passed its third reading be reconsidered, which motion prevails.

The bill is placed on the Calendar for further consideration, upon third reading.

On motion of Senator Harris, the bill is referred to the **Appropriations Committee.**

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 16, Committee Substitute for S. B. 16, an act to make appropriations for current operations of State departments, institutions, and agencies, and for other purposes.

S. B. 57, Committee Substitute for S. B. 57, an act to prescribe rules for the conduct of auction sales of personal property by school boards.

S. B. 152, an act to provide a compensation schedule for trustees and fiduciaries when the creating instrument does not set out the compensation, and to make technical amendments to Chapter 32.

S. B. 185, an act to include five years' experience as an accountant in G. S. 93-12(5).

S. B. 241, an act to regulate the setting of steel traps in Pender County.

S. B. 320, an act to amend Section 143B-394 of the General Statutes to increase to 20 the members of the Council on the Status of Women.

S. B. 485, Committee Substitute for S. B. 485, an act to increase representation on the OSHA Advisory Council.

S. B. 504, an act to provide a procedure for the experience of a person's right to a natural death; and to add expressly the criterion of irreversible cessation of brain function to the other criteria for establishing a person's death.

S. B. 590, an act to amend G. S. 14-391 relating to loan interest on household furniture.

S. B. 650, an act to authorize the use of Powell Bill Funds for bikeway purposes.

June 29, 1977

S. B. 659, an act to amend G. S. 14-254 to provide more effective protection against corporate officers who misapply corporate funds.

S. B. 662, an act to amend G. S. 14-288.8(c)(3) prohibiting weapons of mass death and destruction to replace the terms of "machine gun" and "sawed-off shotgun" with more specific descriptions.

S. B. 679, an act amending G. S. 159-48(c) to authorize each county to borrow money and issue its bonds under the Local Government Bond Act in evidence thereof to provide the local share of the cost of improvements to subdivision and residential streets pursuant to G. S. 153A-205.

S. B. 686, an act to amend G. S. 153A-334 and G. S. 160A-375 to provide an additional remedy for the enforcement of subdivision ordinances and to further protect the purchaser of land in an unapproved subdivision.

S. B. 704, Committee Substitute for S. B. 704, an act to authorize the Department of Administration, Office of Personnel to establish the Personnel Classification of Paralegal.

S. B. 725, an act to create in the Department of Administration an Advocacy Council for the Mentally Ill and Developmentally Disabled.

S. B. 784, an act to permit an individual detained under the reasonable belief that he is driving under the influence to request and be administered a breath test before his arrest.

S. B. 808, an act to add the president of the student government or the chairman of the executive board of the student body of each community college, technical institute, and industrial education center established pursuant to G. S. 115-A to the board of trustees of said institutions as *ex officio* nonvoting members.

S. B. 872, an act to amend Chapter 13 of the General Statutes relating to restoration of rights of federal prisoners.

S. B. 893, an act to amend Chapters 66 and 148 of the General Statutes concerning State policy on prison labor.

S. B. 900, an act to provide for the appointment of members to the Pamlico County Board of Alcoholic Control by the Pamlico County Board of County Commissioners.

H. B. 514, Senate Committee Substitute for H. B. 514, an act to amend the child abuse and neglect laws to provide for mandatory notification of reporter after investigation, professional reporting responsibility for staff of day care centers, court review of decisions to return children to parents, and for a statewide protective services plan developed by the Department of Human Resources.

H. J. R. 563, a joint resolution directing the Legislative Research Commission to study the property tax on business inventories.

H. B. 712, an act to amend the Charter of the Town of Cary.

H. B. 718, Committee Substitute for H. B. 718, an act to insure the speedy trial of persons charged with criminal offenses.

June 29, 1977

H. B. 878, an act to increase representation on the North Carolina Board of Boiler and Pressure Vessels Rules.

H. B. 948, an act to clarify the Retail Installment Sales Act regarding security interests in property sold under revolving charge account contracts.

H. B. 974, Committee Substitute for H. B. 974, an act to amend Section 135-4 of the General Statutes relating to creditable service in the retirement system.

H. B. 995, Committee Substitute for H. B. 995, an act to set the speed limit for buses transporting children with special needs.

H. B. 1003, Committee Substitute for H. B. 1003, an act to promote and encourage the conservation of energy by providing a tax credit for installation of solar hot water, heating and cooling systems, by providing a tax credit for installation of home insulation, storm windows and storm doors, by managing and controlling energy use by improved enforcement of the State Building Code insulation requirements, by reporting of available petroleum supplies, and by prohibiting the use of master meters for electricity and natural gas in new multi-unit residential dwelling units.

H. B. 1099, an act to require that insurance agents of fraternal societies be subject to insurance examinations prior to licensing.

H. B. 1298, an act to provide that a lien for storage pursuant to an express contract may be enforced within 120 days of default.

H. B. 1334, Committee Substitute for H. B. 1334, an act to amend G. S. 50-6 to provide that a plea of recrimination shall not be a bar to a party obtaining a divorce on the ground of one year of separation.

H. B. 1337, an act to prevent killing cougars and to establish a penalty for violation.

H. B. 1340, an act to provide for the self proving of attested written wills.

H. B. 1359, an act to amend Chapter 127A of the General Statutes to provide for the awarding of civilian service medals and awards for services rendered to the North Carolina National Guard.

H. B. 1455, an act to amend the Law Enforcement Officers', Firemen's, Rescue Squad Workers', and Civil Air Patrol Members' Death Benefit Act.

H. B. 1466, an act to rewrite G. S. 28A-14-3 regarding notice to and the barring of claims of creditors of decedents.

H. B. 1484, an act to amend G. S. 62-138 to provide for restrictions on the use of telephone monitoring equipment.

H. B. 1520, an act to amend G. S. 69-25.5 concerning expenditures of fire protection district taxes in Bladen County.

H. B. 1527, an act to increase the membership of the Vance County Board of Alcoholic Control.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 1:00 P.M.

June 29, 1977

ONE HUNDRED TWENTY-SECOND DAY

SENATE CHAMBER,
Thursday, June 30, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, to all who are weary and exhausted, we pray that Thou wilt give rest and restoration. To all who are confused, give a sense of direction. And to all who are on the point of losing hope, give confidence and assurance. We know that Thou art able to do for us even more than we can ask or think, so, in this conviction may our day's work be done. For Thy name's sake. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

The President grants leaves of absence to Senators Somers and Hill for Friday, July 1. Leaves of absence granted previously to Senators Scott and Crawford are noted.

CONFERENCE REPORT

S. B. 110, House Committee
Substitute for S. B. 110

Senator Daniels, for the Conferees appointed to consider the differences arising between the Senate and House of Representatives upon S. B. 110, House Committee Substitute for Senate Committee Substitute No. 1 for S. B. 110, a bill to prohibit setting or using traps of leg-gripping, steel-jawed or connibear type for the capturing of animals or birds in North Carolina, submits the following report:

To the President of the Senate and the Speaker of the House of Representatives:

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on S. B. 110, House Committee Substitute for Senate Committee Substitute No. 1 for S. B. 110, a bill to prohibit setting or using traps of leg-gripping, steel-jawed or connibear type for the capturing of animals or birds in North Carolina, wish to report as follows:

The conferees agree to accept Senate Amendments Nos. 1, 2, and 3 and further agree to recede from Senate Amendment No. 4.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 30th day of June, 1977.

McNeill Smith	W. Stanford White
Jerry Popkin	John T. Church
Melvin R. Daniels, Jr.	William T. Watkins
Conferees on the part of the Senate	*Conferees on the part of the House of Representatives*

On motion of Senator Daniels, the Conference Report is adopted and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. B. 392

House of Representatives
June 30, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on H. B. 392, a bill to require special tests for persons wishing to be licensed to operate a motorcycle, to the end that when a similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,
Grace A. Collins
Principal Clerk

CONFERENCE REPORT

H. B. 392

June 27, 1977

Senator Royall, for the Conferees appointed to consider the differences arising between the Senate and House of Representatives upon H. B. 392, a bill to require special tests for persons wishing to be licensed to operate a motorcycle, submits the following report:

To the President of the Senate and the Speaker of the House of Representatives:

We, the Conferees appointed to consider and resolve the differences between the two bodies with respect to H. B. 392, a bill to require special tests for persons wishing to be licensed to operate a motorcycle, respectfully report that we have conferred and agreed as follows:

Amendment No. 1 is accepted.

Amendment No. 2 is rewritten to the end that a new sentence is added on line 12 to read as follows:

"Any person licensed prior to January 1, 1978, who has operated a motorcycle for at least two years prior to that date, will be exempt from the provisions of the subsection upon filing with the Division of Motor Vehicles an affidavit attesting to said two years' experience."

And, to this end, we the said Conferees, recommend that the House of Representatives and the Senate adopt this Conference Report.

KENNETH C. ROYALL, JR.
MELVIN R. DANIELS, JR.
HELEN R. MARVIN
Conferees on the part of the Senate

GEORGE W. MILLER, JR.
ROY SPOON
H. M. MICHAUX, JR.
Conferees on the part of the House of Representatives

On motion of Senator Royall, the Conference Report is adopted and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S. B. 863

HOUSE OF REPRESENTATIVES
June 30, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on S. B. 863, a bill to prevent fraudulent and deceptive practices in the sale of business opportunities, to the end that when a similar action has been taken on the part of the Senate, you may order the bill enrolled.

Respectfully,
GRACE A. COLLINS
Principal Clerk

CONFERENCE REPORT

S. B. 863

Senator Jordan, for the Conferees appointed to consider the differences arising between the Senate and House of Representatives upon S. B. 863,

a bill to prevent fraudulent and deceptive practices in the sale of business opportunities, submits the following report:

To the President of the Senate and the Speaker of the House of Representatives:

We, the conferees, appointed to resolve the differences arising between the Senate and House of Representatives on S. B. 863, a bill to prevent fraudulent and deceptive practices in the sale of business opportunities, wish to report as follows:

The amendments adopted by the House are adopted by the Conference Committee with the following change:

on page 2, line 6, of House Amendment No. 1, delete the period and insert in lieu thereof the following:

; or

(4) that upon payment by the purchaser of a fee of sum of money which exceeds fifty dollars ($50.00) to the seller, the seller will provide a sales program or marketing program which will enable the purchaser to derive income from the business opportunity which exceeds the price paid for the business opportunity, provided that this subsection shall not apply to the sale of a marketing program made in conjunction with the licensing of a registered trademark or service mark.

To this end the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 30th day of June, 1977.

ROBERT B. JORDAN III
W. G. SMITH
ROBERT VANCE SOMERS
Conferees on the part of the Senate

GEORGE W. MILLER, JR.
WILLIAM H. MCMILLAN
ALLEN C. BARBEE
Conferees on the part of the House of Representatives

On motion of Senator Jordan, the Conference Report is adopted and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

The bill is ordered enrolled.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

June 30, 1977

S. B. 760, Committee Substitute for S. B. 760

HOUSE OF REPRESENTATIVES
June 30, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on S. B. 760, Committee Substitute for S. B. 760, a bill to amend Chapters 7A and 48 of the General Statutes relating to adoptions and termination of parental rights, to the end that when a similar action has been taken on the part of the Senate, you may order the bill enrolled.

Respectfully,
GRACE A. COLLINS
Principal Clerk

CONFERENCE REPORT

S. B. 760, Committee Substitute for S. B. 760

Senator Britt, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon S. B. 760, Committee Substitute for S. B. 760, a bill to amend Chapters 7A and 48 of the General Statutes relating to adoptions and termination of parental rights, submits the following report:

To the President of the Senate and the Speaker of the House of Representatives:

We, your conferees, appointed to resolve the differences arising between the Senate and House of Representatives on S. B. 760, Committee Substitute for S. B. 760, a bill to amend Chapters 7A and 48 of the General Statutes relating to adoptions and termination of parental rights, wish to report as follows:

Amendment No. 2 by Representative Ezzell is rewritten as follows:

Amend on page 4, line 22 by placing a period after the word "parents" and deleting the remainder of the sentence on lines 22-24.

Further amend on page 8, line 26 by inserting after the word "order" and before the word "within" the following words: "required by G. S. 7A-289.24(b) and (d)".

Further amend on Page 9, line 26, by deleting the number "20" and insert in lieu thereof the number "30".

Further amend on page 10, line 11, by deleting the word "may" and insert in lieu thereof the word "shall". Further amend on line 13 by placing a period at the end of the word "petition" and delete the remainder of the sentence on lines 13 and 14.

Further amend on page 12, lines 23-26 by deleting subparagraph (2) in its entirety and renumber the succeeding subparagraphs accordingly.

June 30, 1977

Further amend on page 13, lines 4 and 5 by deleting "at government expense" and on lines 5-7 by deleting the following words "without petitioning the court for return of the child to custody of the parent".

LUTHER BRITT
E. LAWRENCE DAVIS
KATHERINE SEBO
Conferees on the part of the Senate

JAMES E. EZZELL, JR.
PATRICIA HUNT
WILLIAM T. WATKINS
Conferees on the part of the House of Representatives

On motion of Senator Britt, the Conference Report is adopted and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

The bill is ordered enrolled.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H. B. 1015, Committee Substitute for **H. B. 1015**

HOUSE OF REPRESENTATIVES
June 30, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **H. B. 1015**, Committee Substitute for **H. B. 1015**, a bill to create a Nursing Home and Home for the Aged and Infirm Patients' Bill of Rights, to the end that when a similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,
GRACE A. COLLINS
Principal Clerk

CONFERENCE REPORT

H. B. 1015, Committee Substitute for **H. B. 1015**

Senator Barnes, for the Conferees appointed to consider the differences arising between the Senate and House of Representatives upon **H. B. 1015**, Committee Substitute for **H. B. 1015**, a bill to create a Nursing Home and Home for the Aged and Infirm Patients' Bill of Rights, submits the following report:

June 30, 1977

To the President of the Senate and the Speaker of the House of Representatives:

We, your Conferees appointed to resolve the differences arising between the Senate and House of Representatives on **H. B. 1015**, Committee Substitute for **H. B. 1015**, a bill to create a Nursing Home and Home for the Aged and Infirm Patients' Bill of Rights, respectfully report that we have conferred and agreed as follows:

We agree to adopt the Whichard amendment.

And, to this end, we the said Conferees, recommend that the House of Representatives and the Senate adopt this Conference Report.

HENSON P. BARNES	JANET PICKLER
OLLIE HARRIS	H. PARKS HELMS
WILLIS P. WHICHARD	CHRIS S. BARKER
Conferees on the part of the Senate	*Conferees on the part of the House of Representatives*

On motion of Senator Barnes, the Conference Report is adopted and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

H. B. 627, Committee Substitute for **H. B. 627**, a bill to prohibit the public display of sexually explicit material for sale in business establishments.

On motion of Senator Allsbrook, the rules are suspended, and the Committee Substitute bill is taken from the **Judiciary I Committee** and re-referred to the **Judiciary II Committee.**

H. B. 627, Committee Substitute for **H. B. 627**, a bill to prohibit the public display of sexually explicit material for sale in business establishments.

On motion of Senator Britt, the rules are suspended, and the Committee Substitute bill is taken from the **Judiciary II Committee** and re-committed to the **Judiciary I Committee.**

H. B. 802, Committee Substitute for **H. B. 802**, a bill repealing the criminal offense of public drunkenness and granting authority to assist persons who become intoxicated in public.

On motion of Senator Hardison, the rules are suspended, and the Committee Substitute bill is taken from the **Appropriations Committee** and re-referred to the **Judiciary II Committee.**

H. B. 1299, a bill to increase the fee paid for commercial fishing licenses by nonresidents to two hundred dollars.

On motion of Senator Rauch, pursuant to Rule 41.1, the rules are suspended, and the bill is taken from the **Ways and Means Committee** and is placed on the Calendar for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following bills and resolutions are introduced, read the first time and disposed of as follows:

June 30, 1977

By Senator Sharpe:

S. B. 917, a bill to make technical amendments to Chapter 450 of the 1977 Session Laws.

On motion of Senator Sharpe, the rules are suspended, and the bill is placed on the Calendar for today.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Winters for the **ABC Committee:**

H. B. 1432, a bill to amend Chapter 18A of the General Statutes to authorize an establishment with an on premise wine permit to continue selling on premise wine no more than 30 days in the event the sanitation grade is reduced to Grade B, with a favorable report.

On motion of Senator Winters, the rules are suspended, and the bill is placed on today's Calendar.

By Senator White for the **Agriculture Committee:**

H. B. 1233, a bill authorizing the North Carolina Department of Agriculture to regulate the processing and marketing of pen-raised quail, with a favorable report.

On motion of Senator White, the rules are suspended, and the bill is placed on today's Calendar.

By Senator Hardison for the **Appropriations Committee** and Senator Royall for the **Ways and Means Committee:**

The following bills and resolutions referred to the **Appropriations Committee** and pursuant to Senate Rule 41.1 transferred to the **Ways and Means Committee** for review and consideration are reported, as follows:

S. B. 23, a bill to amend G. S. 7A-451 and 7A-288 so as to provide counsel, in the court's discretion, to indigent parties in a proceeding for the termination of parental rights, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion postponed indefinitely.

S. B. 51, a bill to establish a Joint Legislative Commission on Intergovernmental Relations, with an unfavorable report.

S. B. 55, a bill to amend Chapter 143 of the General Statutes to prevent the improper expenditure or transfer of funds, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 59, Committee Substitute for S. B. 59, a bill to amend Chapter 903 of the 1975 Session Laws to provide that agencies receiving funds as a result

of the Law Enforcement Officers' Minimum Salary Act shall be required to fund a percentage of the minimum salaries specified by that Act, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 72, a bill to appropriate funds to promote production of the outdoor drama "From This Day Forward," without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 88, Committee Substitute for S. B. 88, a bill to amend G. S. 7A-69 to authorize investigatorial assistants in various judicial districts, without prejudice.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 91, Committee Substitute for S. B. 91, a bill to establish a land records management program in the Department of Administration, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

S. B. 93, Committee Substitute for S. B. 93, a bill to provide payment for injuries sustained by pupils in school bus accidents, with an unfavorable report.

S. J. R. 104, Committee Substitute for S. J. R. 104, a joint resolution creating a commission to study the feasibility of establishing a Sea World in the coastal area of North Carolina, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute joint resolution is placed on today's Calendar.

S. B. 117, a bill to improve the status and effectiveness of magistrates in the North Carolina system of justice, to establish a salary classification plan for magistrates and to make appropriation therefor, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 120, a bill to appropriate funds to establish regional education centers for children with special needs, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 125, Committee Substitute for S. B. 125, a bill to amend G. S. 7A-41 to authorize additional resident superior court judges and assistant district attorneys in various judicial districts, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

S. B. 126, a bill to amend G. S. 7A-16 to increase the number of judges of the Court of Appeals from nine judges to twelve judges, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 130, Committee Substitute for S. B. 130, a bill to amend G. S. 7A-133 to authorize additional magistrates in certain counties and to provide funds for authorized magistrates in other counties, without prejudice.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 160, Committee Substitute No. 2 for S. B. 160, a bill to amend G. S. 120-47.6 and G. S. 120-47.7 to require biannual lobbyist reports, and to make other changes in Article 9A of G. S. Chapter 120, with an unfavorable report.

S. B. 164, a bill to appropriate funds to the Department of Cultural Resources for the New Bern Academy Historical Commission to plan and restore the New Bern Academy, New Bern, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 172, a bill to appropriate funds to the Department of Cultural Resources to help establish a state-wide revolving fund for historic preservation, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 182, a bill relating to retirement service credits withdrawn by Marine Fisheries Enforcement Officers of the Department of Natural and Economic Resources, with an unfavorable report.

S. B. 189, a bill to amend Article 31 of Chapter 143 of the General Statutes to provide for the defense of school bus maintenance mechanics in civil actions alleging negligence, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 193, a bill to amend G. S. 7A-101 to provide salary raises for superior court clerks, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 196, a bill appropriating funds to the Department of Cultural Resources for the use of Old Salem in interpreting the history and culture of Eighteenth Century Piedmont North Carolina for school children and adult visitors, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 218, a bill to appropriate General Funds to the Department of Human Resources for the purposes of providing support to Youth Unlimited, Inc., with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 224, Committee Substitute for S. B. 224, a bill to divide the Fifteenth, Nineteenth, and Twenty-seventh Judicial Districts, and to create additional district attorneys, district court judges, and a public defender as required thereby, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

S. B. 242, a bill to amend G. S. 7A-133, in the Table, to increase the number of District Court Judges in the 4th District Court District from "4" to "5", with an unfavorable report.

S. B. 267, a bill to appropriate funds to the Administrative Office of the Courts and the Department of Human Resources for use in guardianship proceedings, with an unfavorable report.

S. B. 270, a bill to amend the Uniform Judicial Retirement Act to allow credit for past service as solicitor or district attorney, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 281, a bill to appropriate funds for carrying out the purposes of House Bill 205 and Senate Bill 81 dealing with standardized testing in the public schools, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 282, a bill to appropriate funds to the North Carolina Symphony Society, Incorporated, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 291, a bill to amend Chapter 135 of the General Statutes to preserve retirement benefits for employees of the former Chapel Hill Telephone Company and the former University service plants, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 300, a bill to amend G. S. 7A-312 to increase the compensation fee for jurors, with an unfavorable report.

S. B. 306, a bill to increase the death benefit for law enforcement officers, firemen, rescue workers and Civil Air Patrol members, with an unfavorable report.

S. B. 308, a bill to appropriate funds to the Department of Natural and Economic Resources for forest fire control purposes, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 310, Committee Substitute for S. B. 310, a bill to establish the North Carolina Internship Council of the Department of Administration, without prejudice.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 312, a bill to provide for the employment of instructional specialists in the public schools through an allocation of funds on a per pupil basis, with an unfavorable report.

S. B. 325, a bill to appropriate funds to the Department of Human Resources for fiscal years 1977-79, to be used for a communications system for the blind, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 327, a bill to establish the Grassroots Arts Program within the Department of Cultural Resources and to appropriate funds for this Program, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 330, a bill to amend Chapter 135 of the General Statutes to allow district court judges retirement credit for time served as judges of inferior courts, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 335, a bill to expand the Youth Advisory Council and to provide for the terms of members of the Council, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 337, a bill to appropriate funds to assist in the restoration of the Newbold-White House in Perquimans County, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 340, a bill to appropriate funds to North Carolina State University for development and research on a solar thermal conversion unit which will produce a minimum of 1,000 KWH of electricity per month, and be reliable and relatively free of maintenance, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 373, a bill to amend G. S. 143B-182 and G. S. 143B-183 to modify the State Mental Health Council for the purpose of meeting requirements set by federal authorities as a condition to receiving federal aid, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 374, a bill to appropriate funds for the James Iredell House State Historic Site, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 375, a bill to appropriate funds for restoration work at the Cupola and Barker Houses in Edenton, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 383, a bill to appropriate funds for the restoration of the Belden-Horne House, Fayetteville, with an unfavorable report.

S. B. 386, a bill to appropriate funds to the Department of Human Resources for Special Olympics, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 395, Committee Substitute for S. B. 395, a bill to appropriate funds to the Administrative Office of the Courts for additional deputy clerks of court and clerical equipment in certain counties, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

S. B. 404, a bill to appropriate funds to the Flat Rock Playhouse and Vagabond School of the Drama, Inc., without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

June 30, 1977

S. B. 407, a bill to appropriate funds for the maintenance of the site surrounding the oldest and largest American holly tree in the world, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 428, a bill to appropriate General Funds to the Board of Governors of the University of North Carolina System for the purposes of improving the capacity of public and private institutions of higher education in North Carolina to prepare professional personnel to provide educational services to children with special needs, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 429, a bill to create a statewide Public/Educational Television Study Commission, with an unfavorable report.

S. B. 435, a bill to appropriate funds for the Tar Heel Junior Historian Association, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 436, a bill to appropriate funds to the Department of Human Resources to be used for the development of community-based alternatives to training schools, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 449, a bill to appropriate funds to the Department of Natural and Economic Resources, Division of Forest Resources, to fund the position of assistant forest ranger in Catawba County, with an unfavorable report.

S. B. 461, a bill to appropriate funds for certain injuries and deaths, with an unfavorable report as to bill, favorable as to Committee Substitute bill.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

S. B. 462, a bill to appropriate funds for the North Carolina Shakespeare Festival, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 471, Committee Substitute for S. B. 471, a bill to establish a Governor's Council on Physical Fitness and Health, with an unfavorable report.

S. B. 477, a bill to provide that the proceeds from the sale of State park lands shall be deposited with the State Treasurer to the credit of the Department of Administration to be used for the purpose of park lands, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 500, a bill providing for the publication of the North Carolina Administrative Code, with an unfavorable report.

S. B. 517, a bill to appropriate General Funds to the State Board of Education for purposes of providing transportation services to children with special needs, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 518, a bill to amend Chapter 143B-9 of the General Statutes relating to establishment of salaries for appointed department heads, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 524, Committee Substitute for S. B. 524, a bill to establish a State Fire Commission, without prejudice.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 526, a bill to appropriate two hundred fifty thousand dollars for planning of a family medicine building at UNC-Chapel Hill, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 531, a bill to appropriate funds to the Department of Human Resources for fiscal years 1977-1979 to be used to increase the Foster-Care Board rate, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 535, a bill to appropriate funds to the State Board of Education to be used for the purpose of providing a continuation of compensation to driver education personnel and for the purpose of adjusting the salaries of driver education personnel, with an unfavorable report.

S. B. 536, a bill to create a study commission to determine the best method for State, counties and cities to furnish liability insurance coverage for law enforcement officers, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 542, a bill to fund the Student Theatre Guild, Inc., of North Carolina, with an unfavorable report.

S. B. 550, a bill to appropriate funds to the Granville County Historical Society for its Historical Site, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 553, a bill to appropriate one million eight hundred sixty-eight thousand five hudred ninety-two dollars to the Department of Human Resources for fiscal years 1977-1979 to be used to increase the medically needy income eligibility levels in the North Carolina Medicaid Program under Title XIX of the Social Security Act, with an unfavorable report.

S. B. 555, a bill to appropriate funds to the Legislative Services Commission to provide sets of the General Statutes for every member of the General Assembly, and to appropriate funds to the Office of the Lieutenant Governor to provide a set of General Statutes, with an unfavorable report.

S. B. 560, a bill to appropriate funds for the preservation of buildings owned or leased by the Rockford Preservation Society, Inc., in the Town of Rockford, Surry County, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 563, Committee Substitute for S. B. 563, a bill to re-create a State Farm Operations Commission within the Department of Agriculture, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

S. B. 566, a bill to establish a State Council for the Hearing Impaired and Community Services to the Hearing Impaired, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 571, a bill to amend Article 5A of Chapter 122 of the General Statutes to provide legal representation for the interests of the petitioner in involuntary commitment proceedings by the district attorney or a private attorney appointed by the Administrative Office of the Courts, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 579, a bill to appropriate funds to provide for publication of the Catherine Ann Devereux Edmondston diary, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 584, a bill to authorize the Attorney General to employ two attorneys to perform legal service for the State Department of Crime Control and Public Safety, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 593, a bill to appropriate funds for the construction and operation of a Pine Mouse Research Laboratory at Mountain Horticultural Crops Research Station, Fletcher, North Carolina, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 607, a bill to appropriate funds for the School of the Handicapped at the Thoms Orthopedic Hospital and Rehabilitation Center, Incorporated, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 608, a bill to appropriate funds to renovate the Western Carolina Specialty Hospital at Black Mountain, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 611, a bill appropriating funds to the North Carolina Department of Agriculture for expansion of the Animal Disease Diagnostic Laboratory in Union County, North Carolina, and appropriating further funds for the operation thereof, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 614, a bill to appropriate funds from the Highway Fund for the benefit of the State Highway Patrol Troop H, with an unfavorable report.

S. B. 619, a bill to appropriate funds to the Department of Natural and Economic Resources for implementation of the Forest Development Act, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 624, a bill to appropriate funds to implement the "sunset law for State agencies", with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 625, a bill to appropriate funds for completion of the Western North Carolina Farmers Market at Asheville, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

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S. B. 630, a bill to appropriate funds to the Department of Cultural Resources to create and maintain two exhibits of portraits of North Carolina Governors elected by the people, one to be based in the State Capitol, and one to be made available for circulation throughout the State for educational purposes, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 634, a bill to appropriate General Funds to the State Board of Education for the purpose of providing funds to allot additional kindergarten teachers so as to achieve a class size of one teacher to 26 students, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 637, a bill to appropriate funds for the construction of a Division of Forest Resources Headquarters Building in Alamance County, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 638, a bill to amend the fee which medical examiners receive for making investigations, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 640, a bill to provide funding for the acquisition of lands for a State park between Winston-Salem and Greensboro, with an unfavorable report.

S. B. 647, a bill to complement Article 4A of Chapter 136 of the General Statutes of North Carolina through the creation of a self-supporting budget to expedite the implementing of its provisions, with an unfavorable report.

S. B. 648, Committee Substitute for S. B. 648, a bill to amend the Bicycle and Bikeway Act of 1974 to further provide for the promotion, administration, and regulation of bicycle and bikeway activities in North Carolina, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

S. B. 656, a bill to appropriate funds to the City of Raleigh to aid in the construction of a mall from the State Capitol to the proposed Raleigh Civic Center Plaza, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 668, a bill revising benefits of the Teachers' and State Employees' Retirement System of North Carolina, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

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S. B. 669, a bill to appropriate funds to subsidize hospital and medical insurance for retirees and surviving spouses, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 670, a bill to make clear that the death benefits provided to teachers and State employees is group life insurance, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 671, a bill to make clear that the death benefit provided by the North Carolina Local Governmental Employees' Retirement System is group life insurance, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 677, a bill to appropriate funds for the rehabilitation of the Roanoke Canal Lock House in Roanoke Rapids, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 681, a bill to acquire the Blockade Runner Museum and to establish a Blockade Runner Museum Commission, with an unfavorable report.

S. B. 682, a bill to appropriate funds for the operation of the Blockade Runner Museum, with an unfavorable report.

S. B. 683, a bill to provide payment for injuries sustained by pupils in school bus accidents, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 692, a bill relating to the acquisition of works of art for State buildings, with an unfavorable report.

S. B. 700, a bill to appropriate funds to the Department of Human Resources for fiscal years 1977-1979 to be used for the Aid to Families with Dependent Children — Foster Care Program, with an unfavorable report.

S. B. 707, a bill to appropriate funds for watershed improvement projects on the Chicod and Swift Creeks, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 712, a bill to provide for the development and promotion of historic Edenton and other historic sites in northeastern North Carolina, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 729, a bill to appropriate funds to the Department of Natural and Economic Resources to rebuild berms at Wrightsville Beach in New Hanover County, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 732, a bill to provide for the construction of State government office buildings in the Cities of Charlotte and Fayetteville, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 736, a bill to provide medium custody prisoners for work on State roads and highways, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 738, a bill to appropriate funds to the Department of Natural and Economic Resources for improvement of the Marine Fisheries Program, with an unfavorable report.

S. B. 750, a bill to permit the Council of State to allocate funds from the Contingency and Emergency Fund to tax-exempt outdoor historical dramas, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 751, a bill to repeal Chapter 617 of the Session Laws of 1973 and to provide for the transfer of facilities of the National Driving Center, Inc., to the University of North Carolina, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 753, a bill to include the Research Triangle Institute as one of the organizations to which the provisions of Article 3C of Chapter 143 of the General Statutes do not apply, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 755, a bill to amend Chapter 1007 of the 1971 Session Laws to provide two additional TEACCH centers in Charlotte and Wilmington, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 764, a bill to appropriate funds for a comprehensive historic sites survey in Fayetteville and Cumberland County, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 772, a bill to determine the value and practicality of providing incentive pay for State employees for gains in the economy and efficiency in the rendering of governmental services, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 773, a bill to appropriate funds to the Administrative Office of the Courts for an additional deputy clerk and equipment in the Office of Clerk of Superior Court in Craven County, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 775, a bill to establish a Jobs for Veterans Committee within the Department of Administration, Division of Veterans Affairs, to assume the duties of the Governor's Jobs for Veterans Committee and to assist veterans in obtaining employment, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 777, a bill to appropriate funds for construction of National Guard Armories in Scotland Neck and Raeford, and for additions to National Guard Armories in Ahoskie and Asheville, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 779, a bill to appropriate funds for the operation of the Legislative Research Commission's review procedure for administrative rules, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 782, a bill to appropriate funds for the construction of a gym at the Central North Carolina School for the Deaf, with an unfavorable report.

S. B. 785, a bill to appropriate funds to the Department of Cultural Resources for the continuance of the Stagville Preservation Center, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 796, a bill to appropriate funds to the Administrative Office of the Courts for an additional deputy clerk and equipment in the Office of Clerk of Superior Court in Granville County, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 806, a bill to appropriate funds for mental retardation programs, with an unfavorable report.

S. B. 810, a bill to appropriate funds to the Division of Prisons, Department of Correction, for the purpose of continuing a program of education for prisoners and for their rehabilitation, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. J. R. 818, Committee Substitute for S. J. R. 818, a joint resolution directing the Legislative Research Commission to study the North Carolina motor vehicle laws, with an unfavorable report.

S. B. 823, a bill to provide for the mechanical recording of court proceedings in the superior and district courts and to appropriate funds for such recording, with an unfavorable report.

S. B. 833, a bill creating a Consumer Products Safety Study Commission, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 840, a bill to establish a commission on legislative space needs and to appropriate necessary funds to plan and construct a legislative office building, with an unfavorable report.

S. B. 845, a bill to amend G. S. 115-205.11 to provide for the allocation of kindergarten program funds to county and city boards of education based upon the average daily membership for the best continuous three out of the first four school months of pupils in the kindergarten program during the last school year in that respective school administrative unit, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. J. R. 860, a joint resolution creating a committee for the study of the laws relating to the conservation of wildlife resources in order to make recommendations to the General Assembly for revision and consolidation, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the joint resolution is placed on today's Calendar.

S. B. 862, a bill to amend Article 17 of Chapter 106 of the General Statutes to provide aggregate state service credit for agriculture, poultry, fruit, vegetable, and grain graders, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

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S. B. 865, a bill to authorize a loan to the Battleship Commission in order to acquire the Blockade Runner Museum, with an unfavorable report.

S. B. 870, a bill to appropriate funds for the establishment and operation of a facility to recycle oil used by the State of North Carolina and its political subdivisions, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 878, a bill to make the Tri-County Technical Institute a comprehenhive community college, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 881, a bill to appropriate funds to the Nat Green Youth Development School, with an unfavorable report.

S. B. 885, a bill to appropriate funds for the Fingerprint Identification Bureau of the State Bureau of Investigation, with an unfavorable report.

S. B. 886, a bill to appropriate funds to the North Carolina Department of Labor to continue funding for OSHA consultant positions expiring on June 30, 1977, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 887, a bill to appropriate funds to the Department of Labor for the purchase of special technical equipment mandated to continue State administration of the Occupational Safety and Health Act, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 898, a bill to transfer funds from the Highway Fund to the General Fund for the Gasoline and Oil Inspection Subprogram of the Department of Agriculture, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 902, a bill to appropriate funds to the Department of Cultural Resources to improve and operate the State Capitol, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 904, a bill to appropriate funds to the Department of Agriculture for the surveillance of the swine disease known as pseudorabies, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

H. B. 149, a bill to amend G. S. 163-211 to increase the per diem and mileage compensation provided presidential electors meeting in the City of Raleigh, with an unfavorable report.

H. B. 394, a bill to amend the Firemen's Pension Fund, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

H. B. 482, a bill to provide benefits to uniformed weight station personnel now available to State highway patrolmen and to inspectors of the License and Theft Section, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

H. B. 653, a bill to amend the Controlled Substances Act to schedule controlled substances previously scheduled by regulation and to make technical corrections in the Act, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

H. B. 824, Committee Substitute for **H. B. 824**, a bill to provide for a system of educational opportunities for all children requiring special education, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

H. B. 985, a bill to increase the membership of the Textbook Commission, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

H. B. 1001, a bill to amend G. S. 138-6(a)(3) concerning travel allowances for State officers and employees, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

H. B. 1083, a bill to make clear that the death benefit provided by the North Carolina Local Governmental Employees' Retirement System is group life insurance, without prejudice.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

H. B. 1085, a bill to make clear that the death benefit provided to teachers and State employees is group life insurance.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

H. B. 1496, a bill to amend Article 17 of Chapter 106 of the General Statutes to provide aggregate State service credit for agriculture, poultry, fruit, vegetable, and grain graders, without prejudice.

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On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

By Senator Lawing for the **Banking Committee:**

H. B. 928, Committee Substitute for **H. B. 928,** a bill to amend G. S. 54-33.3 to allow fewer than ten State chartered savings and loan associations to invest in service corporations and to allow the administrator to approve permitted data processing activities of such service corporations, with a favorable report.

By Senator Rauch for the **Finance Committee:**

H. B. 141, Committee Substitute for **H. B. 141,** a bill to amend Articles 9 and 27 of Chapter 105 of the General Statutes providing for releases, refunds and suits for recovery of taxes, with a favorable report, as amended.

On motion of Senator Rauch, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

H. B. 335, Committee Substitute for **H. B. 335,** a bill to repeal the three year statute of limitations on suits to recover real property sold for non-payment of taxes, with a favorable report.

On motion of Senator Rauch, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

H. B. 607, a bill to classify solar energy systems for ad valorem tax purposes, with a favorable report.

On motion of Senator Rauch, the rules are suspended, and the bill is placed on today's Calendar.

H. B. 1318, a bill to clarify the three hundred dollar exemption for individually owned personal property, with a favorable report.

On motion of Senator Rauch, the rules are suspended, and the bill is placed on today's Calendar.

H. B. 1412, a bill to amend G. S. 105-275(10) and (11) to clarify the classification of personal property stored in public warehouses for ad valorem tax purposes, with a favorable report.

On motion of Senator Rauch, the rules are suspended, and the bill is placed on today's Calendar.

By Senator Totherow for the **Insurance Committee:**

H. B. 728, a bill to amend the Workmen's Compensation Act regarding compensation for disfigurement and loss of important organs or parts of the body, with a favorable report.

On motion of Senator Totherow, the rules are suspended, and the bill is placed on today's Calendar.

H. B. 746, Committee Substitute for **H. B. 746,** a bill to eliminate discrimination in the treatment of handicapped and disabled persons, with a favorable report.

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On motion of Senator Totherow, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

By Senator Britt for the **Judiciary II Committee:**

S. B. 914, a bill to provide that the theft of cable television service shall be a misdemeanor, with a favorable report.

On motion of Senator Britt, the rules are suspended, and the bill is placed on today's Calendar.

H. B. 905, a bill to provide for use of depositions, with a favorable report.

H. B. 1002, Committee Substitute No. 2 for **H. B. 1002**, a bill to outlaw carrying weapons into assemblies and establishments where intoxicating liquors are sold and consumed, with a favorable report.

H. B. 1033, a bill to extend conditions of termination of parental rights, with a favorable report.

H. B. 1048, Committee Substitute for **H. B. 1048**, a bill to waive apprenticeship for cosmetology applicants with 1500 hours of cosmetology education, with a favorable report, as amended.

On motion of Senator Britt, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

H. B. 1074, Committee Substitute for **H. B. 1074**, a bill to amend G. S. 7A-284 to authorize district court judges to issue oral immediate custody orders in certain child abuse cases, with a favorable report.

On motion of Senator Britt, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

H. B. 1156, a bill to amend G. S. 20-218 pertaining to school activity bus speed limits, with a favorable report.

H. B. 1306, Committee Substitute for **H. B. 1306**, a bill validating certain deeds executed by counties before January 1, 1977, with a favorable report.

H. B. 1394, a bill to amend G. S. 8-53 to allow a deceased's next of kin, when the estate is unadministered, to authorize the release of confidential information contained in deceased's medical records, with a favorable report.

H. B. 1419, a bill relating to the execution of proxies of corporation with less than 100 stockholders, without prejudice.

On motion of Senator Britt, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

H. B. 1491, a bill to repeal G. S. 45-40 concerning the entry of satisfaction on the real property indexes, with a favorable report.

By Senator Childers for the **Manufacturing, Labor and Commerce Committee:**

H. B. 740, a bill to reduce the maximum workmen's compensation payable for the death of a minor without dependents, with a favorable report.

On motion of Senator Childers, the rules are suspended, and the bill is placed on today's Calendar.

H. B. 877, Committee Substitute for **H. B. 877**, a bill to increase representation on the Apprenticeship Council, with a favorable report.

On motion of Senator Childers, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

H. B. 1329, a bill to provide workmen's compensation coverage and other benefits for persons serving as volunteer A.B.C. officers, with a favorable report.

On motion of Senator Childers, the rules are suspended, and the bill is placed on today's Calendar.

By Senator Henley for the **Rules and Operation of the Senate Committee:**

H. J. R. 512, Committee Substitute for **H. J. R. 512**, a joint resolution to provide for a study of faculty work load and tenure in the University of North Carolina, with a favorable report.

On motion of Senator Henley, the rules are suspended, and the Committee Substitute joint resolution is placed on today's Calendar.

H. J. R. 1523, a joint resolution urging Congress to enact enabling legislation looking toward the planning and financing of a White House Conference on Aging in 1980 or 1981, with a favorable report.

On motion of Senator Henley, the rules are suspended, and the joint resolution is placed on today's Calendar.

By Senator Royall for the **Special Committee on Ways and Means:**

H. B. 956, Committee Substitute for **H. B. 956**, a bill to make certain technical amendments to the State Personnel Act, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

H. B. 975, Committee Substitute for **H. B. 975**, a bill to rewrite Chapter 83 of the General Statutes as Chapter 83A relating to architects, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

H. B. 1216, Committee Substitute for **H. B. 1216**, a bill to enable registered and licensed practical nurses to carry out the orders of physician's assistants under certain conditions, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

H. B. 1289, Committee Substitute for **H. B. 1289**, a bill to restructure the Wildlife Resources Commission and to make other necessary changes, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

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H. B. 1347, a bill to amend day care laws to provide that fence requirements will not be applicable to facilities operated in public school buildings, with a favorable report.

By Senator Whichard for the **State Government Committee:**

S. B. 73, a bill to amend G. S. 113B-21 relating to membership of the Legislative Committee on Energy Crisis Management, without prejudice.

On motion of Senator Whichard, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 600, a bill to revive and improve certain provisions of Chapter 75 of the General Statutes, to protect the citizens of North Carolina from unfair, unethical, deceptive and unscrupulous business practices without prejudice.

On motion of Senator Whichard, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 739, a bill to reorganize the Department of Natural and Economic Resources as the Department of Natural Resources and Community Development; to create a North Carolina Employment and Training Council in the Department of Natural Resources and Community Development; and to make necessary conforming changes, without prejudice.

On motion of Senator Whichard, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 901, a bill to amend Article 3 of Chapter 135 of the General Statutes to provide a contributory medical and hospital benefit care plan for employees and former employees of the General Assembly, their spouses, and dependents to be administered by the Board of Trustees of the Retirement System, without prejudice.

On motion of Senator Whichard, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

H. B. 1236, Committee Substitute for **H. B. 1236,** a bill to restructure the method of selecting the Indian members of the State Commission of Indian Affairs, without prejudice.

On motion of Senator Whichard, the rules are suspended, and the Committee Substitute bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

H. B. 1357, a bill to amend G. S. 135, to permit vested members to purchase credit for specific period of absence from State employment for educational advancement when leave of absence for said purpose was not available to member, with a favorable report.

By Senator Royall for the **Ways and Means Committee:**

S. B. 37, a bill to deduct from gross income amounts received under a student loan program which provides that all or a portion of the loan indebtedness may be discharged if the student performs certain services for a period of time in a certain geographical area, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 96, a bill to increase the inheritance tax exemption applicable to surviving spouses to twenty thousand dollars, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 549, Committee Substitute for S. B. 549, a bill to conform the State income tax treatment of alimony to that provided under the Internal Revenue Code, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

S. B. 586, a bill to increase to ten thousand dollars the size of an estate for which no inheritance tax return is required, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 596, House Committee Substitute for S. B. 596, a bill to provide for inclusion in gross estate for inheritance tax purposes the first three thousand dollars of gifts made within three years of the donor's death, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the House Committee Substitute bill is placed on today's Calendar.

S. B. 708, a bill to exclude from inheritance taxation the amount of seventy thousand dollars paid as a result of a military family protection, or survivor benefit plan, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 892, a bill to amend G. S. 105-60, day-care facilities privilege license tax, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 897, a bill to provide an additional tax exemption for persons having chronic irreversible renal disease, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

H. B. 571, a bill to amend G. S. 105-147 of the General Statutes relating to contributions to the Civil Air Patrol, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

H. B. 792, a bill to authorize the State Board of Alcoholic Control to increase the permit for issuing a retail license fee from twenty-five dollars to fifty dollars, and to increase the price of the wholesale permit from twenty-five dollars to one hundred dollars, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

H. B. 858, Committee Substitute for H. B. 858, a bill to permit sales and use tax refunds on medicines and drugs purchased by certain hospitals, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

H. B. 1036, a bill to provide a one thousand dollar exemption from income tax for individuals who are deaf, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

H. B. 1052, a bill to allow deductions for individual income tax purposes for contributions made by an individual for the benefits of himself and his spouse to individual retirement accounts, individual retirement annuities, or individual retirement bonds which are deductible for federal income tax purposes, and to exempt from inheritance tax distributions from such retirement plans which are excluded from the decedent's gross estate for federal estate tax purposes, and to make other technical amendments to Chapter 105, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

H. B. 1152, a bill to impose the one percent, eighty dollar maximum sales and use tax rate upon certain sales of mill machinery to contractors, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

H. B. 1505, a bill to increase the motor vehicle registration fee for support of driver education programs from two dollars to three dollars, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following special messages are received from the House of Representatives:

S. B. 341, a bill to define the practice of chiropractic, and guarantee freedom of choice to patients, and to specify the areas of expertise of chiropractors, for concurrence in the House amendments which is placed on the Calendar for Friday, July 1.

S. B. 558, Committee Substitute for S. B. 558, a bill relating to the charges or interest which may be charged with respect to open-end accounts, for

concurrence in the House amendments which is placed on the Calendar for Friday, July 1.

S. B. 568, a bill to amend G. S. 7A-273 relating to the power of magistrates in criminal actions relating to worthless checks, for concurrence in the House amendment.

On motion of Senator Walker, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

On motion of Senator Walker, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 603, a bill to amend G. S. 116-7(c) with reference to the filling of vacancies on the Board of Governors, for concurrence in the House amendment.

On motion of Senator Winters, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

On motion of Senator Winters, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 741, a bill to amend the Dam Safety Law of 1967, G. S. 143-215.23 et seq. to remove the exemption of dams costing less than five thousand dollars and make certain technical corrections, for concurrence in the House amendments.

On motion of Senator Henley, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

On motion of Senator Henley, the Senate concurs in the House amendments and the bill is ordered enrolled.

S. B. 911, a bill to amend the worthless checks statute, for concurrence in the House amendment.

On motion of Senator Lawing, the rules are sunspended, and the bill is placed before the Senate for immediate consideration.

On motion of Senator Lawing, the Senate concurs in the House amendment and the bill is ordered enrolled.

H. B. 285, a bill to amend Article 25A of Chapter 58 of the General Statutes to provide motor vehicle insurance coverage sufficient to meet requirements of law.

Referred to **Insurance Committee.**

H. B. 437, a bill to extend the provisions of Chapter 360 of the 1975 Session Laws relating to special probation.

Referred to **Judiciary II Committee.**

H. B. 1044, a bill to prohibit members of county boards of elections from actively participating in political campaigns.

Referred to **Election Laws Committee.**

H. B. 1122, Committee Substitute for H. B. 1122, a bill to make unauthorized presence in school, college or university buildings which have been closed a misdemeanor.

Referred to **Judiciary II Committee.**

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H. B. 1307, a bill relating to learned treatises and the hearsay rule.

Referred to **Judiciary I Committee.**

H. J. R. 1530, a joint resolution providing for adjournment of the 1977 General Assembly on July 1, 1977, at 6:00 P.M., to reconvene for a Second Session in 1978 for review of the Budget for fiscal year 1978-1979 and for consideration of certain other bills.

On motion of Senator Henley, the rules are suspended, and the joint resolution is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

H. B. 1531, a bill to establish an eight hour work day for supervisors of elections.

Referred to **Election Laws Committee.**

H. B. 1532, a bill to amend Chapter 468 of the Session Laws of 1977.

On motion of Senator Webster, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Britt for the **Judiciary II Committee:**

H. B. 437, a bill to extend the provisions of Chapter 360 of the 1975 Session Laws relating to special probation, with a favorable report.

On motion of Senator Britt, the rules are suspended, and the bill is placed on today's Calendar.

S. B. 341, a bill to define the practice of chiropractic, and guarantee freedom of choice to patients, and to specify the areas of expertise of chiropractors.

On motion of Senator Rauch, the rules are suspended, and the bill is taken from the Calendar for Friday, July 1, and is placed on the Calendar for today for concurrence in the House amendments.

S. B. 558, Committee Substitute for S. B. 558, a bill relating to the charges or interest which may be charged with respect to open-end accounts.

On motion of Senator Garrison, the rules are suspended, and the Committee Substitute bill is taken from the Calendar for Friday, July 1, and is placed on today's Calendar for concurrence in the House amendments.

S. B. 819, Committee Substitute for S. B. 819, a bill to amend the General Statutes relating to fees charged for vital records services in order to recover the actual cost of the services.

On motion of Senator Rauch, pursuant to Rule 41.1, the rules are suspended, and the Committee Substitute bill is taken from the **Ways and Means Committee** and is placed on the Calendar for today.

S. B. 865, a bill to authorize a loan to the Battleship Commission in order to acquire the Blockade Runner Museum.

Senator Smith of New Hanover moves that the bill be taken from the table and placed on the Calendar for today, which motion prevails.

H. B. 1033, a bill to extend conditions of termination of parental rights.

On motion of Senator Britt, the rules are suspended, and the bill is taken from the Calendar for Friday, July 1, and is placed on the Calendar for today.

H. B. 1511, a bill to change Utilities Commission hearing transcript fees from thirty cents per page to one dollar per page.

On motion of Senator Royall, the rules are suspended, and the bill is taken from the **Ways and Means Committee** and is placed on the Calendar for today.

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 37, a bill to deduct from gross income amounts received under a student loan program which provides that all or a portion of the loan indebtedness may be discharged if the student performs certain services for a period of time in a certain geographical area.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 55, a bill to amend Chapter 143 of the General Statutes to prevent the improper expenditure or transfer of funds.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 59, Committee Substitute for S. B. 59, a bill to amend Chapter 903 of the 1975 Session Laws to provide that agencies receiving funds as a result of the Law Enforcement Officers' Minimum Salary Act shall be required to fund a percentage of the minimum salaries specified by that Act, as amended.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 91, Committee Substitute for S. B. 91, a bill to establish a land records management program in the Department of Administration.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 96, a bill to increase the inheritance tax exemption applicable to surviving spouses to twenty thousand dollars.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. J. R. 104, Committee Substitute for **S. J. R. 104**, a joint resolution creating a commission to study the feasibility of establishing a Sea World in the coastal area of North Carolina.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The Committee Substitute joint resolution, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 120, a bill to appropriate funds to establish regional education centers for children with special needs.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 125, Committee Substitute for **S. B. 125**, a bill to amend G. S. 7A-41 to authorize additional resident superior court judges and assistant district attorneys in various judicial districts.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 189, a bill to amend Article 31 of Chapter 143 of the General Statutes to provide for the defense of school bus maintenance mechanics in civil actions alleging negligence, as amended.

On motion of Senator Royall, Committee Amendment No. 2 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 218, a bill to appropriate General Funds to the Department of Human Resources for the purposes of providing support to Youth Unlimited, Inc.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 224, Committee Substitute for **S. B. 224**, a bill to divide the Fifteenth, Nineteenth, and Twenty-seventh Judicial Districts, and to create additional district attorneys, district court judges, and a public defender as required thereby.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 270, a bill to amend the Uniform Judicial Retirement Act to allow credit for past service as solicitor or district attorney.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 282, a bill to appropriate funds to the North Carolina Symphony Society, Incorporated.

On motion of Senator Hardison, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 291, a bill to amend Chapter 135 of the General Statutes to preserve retirement benefits for employees of the former Chapel Hill Telephone Company and the former University service plants, as amended.

On motion of Senator Hardison, Committee amendment No. 2 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 313, House Committee Substitute for S. B. 313, a bill to permit juries to determine whether a defendant has stolen property or received it with knowledge of its source.

On motion of Senator Britt, Committee Amendment No. 1 is adopted.

The House Committee Substitute bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives for concurrence in the Senate amendment by special messenger.

S. B. 318, Committee Substitute for S. B. 318, a bill providing for mandatory prison confinement for persons convicted of armed robbery or burglary, for concurrence in the House amendment.

On motion of Senator Allsbrook, the Senate concurs in the House amendments and the Committee Substitute bill is ordered enrolled.

S. B. 327, a bill to establish the Grassroots Arts Program within the Department of Cultural Resources and to appropriate funds for this Program.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 330, a bill to amend Chapter 135 of the General Statutes to allow district court judges retirement credit for time served as judges of inferior courts.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 337, a bill to appropriate funds to assist in the restoration of the Newbold-White House in Perquimans County.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 341, a bill to define the practice of chiropractic, and guarantee freedom of choice to patients, and to specify the areas of expertise of chiropractors, for concurrence in the House amendments.

Senator Rauch moves that the Senate do not concur in the House amendments, which motion prevails.

Senator Rauch moves that the President appoint conferees, which motion prevails. The President appoints Senators Rauch, Lawing, and Soles as conferees on the part of the Senate and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

S. B. 373, a bill to amend G. S. 143B-182 and G. S. 143B-183 to modify the State Mental Health Council for the purpose of meeting requirements set by federal authorities as a condition to receiving federal aid.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 374, a bill to appropriate funds for the James Iredell House State Historic Site.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 375, a bill to appropriate funds for restoration work at the Cupola and Barker Houses in Edenton.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 395, Committee Substitute for **S. B. 395,** a bill to appropriate funds to the Administrative Office of the Courts for additional deputy clerks of court and clerical equipment in certain counties.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 407, a bill to appropriate funds for the maintenance of the site surrounding the oldest and largest American holly tree in the world.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 428, a bill to appropriate General Funds to the Board of Governors of the University of North Carolina System for the purposes of improving the capacity of public and private institutions of higher education in North Carolina to prepare professional personnel to provide educational services to children with special needs.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 436, a bill to appropriate funds to the Department of Human Resources to be used for the development of community-based alternatives to training schools.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 453, Committee Substitute for **S. B. 453**, a bill to regulate the handling of tenant security deposits in residential dwelling units, for concurrence in the House amendments.

On motion of Senator Wynne, the Senate concurs in the House amendments and the Committee Substitute bill is ordered enrolled.

S. B. 460, Committee Substitute for **S. B. 460**, a bill providing for the review of administrative rules, for concurrence in the House amendment.

On motion of Senator Henley, the Senate concurs in the House amendment and the Committee Substitute bill is ordered enrolled.

S. B. 461, Committee Substitute for **S. B. 461**, a bill to appropriate funds for certain injuries and deaths.

On motion of Senator Royall, the Committee Substitute bill is adopted, and on his further motion, the rules are suspended, and the Committee Substitute bill remains on the Calendar for further consideration.

The Committee Substitute bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 477, a bill to provide that the proceeds from the sale of State park lands shall be deposited with the State Treasurer to the credit of the Department of Administration to be used for the purchase of park lands.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 515, a bill prohibiting discrimination in business based upon foreign trade relationships and certain other factors, for concurrence in the House amendment.

On motion of Senator Rauch, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 517, a bill to appropriate General Funds to the State Board of Education for purposes of providing transportation services to children with special needs.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 526, a bill to appropriate two hundred fifty thousand dollars for planning of a family medicine building at UNC-Chapel Hill.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 531, a bill to appropriate funds to the Department of Human Resources for fiscal years 1977-1979 to be used to increase the Foster-Care Board rate.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 549, Committee Substitute for S. B. 549, a bill to conform the State income tax treatment of alimony to that provided under the Internal Revenue Code.

The Committee Substitute bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 558, Committee Substitute for S. B. 558, a bill relating to the charges or interest which may be charged with respect to open-end accounts, for concurrence in the House amendments.

On motion of Senator Garrison, the Senate concurs in the House amendments and the Committee Substitute bill is ordered enrolled.

S. B. 560, a bill to appropriate funds for the preservation of buildings owned or leased by the Rockford Preservation Society, Inc., in the Town of Rockford, Surry County.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 563, Committee Substitute for S. B. 563, a bill to re-create a State Farm Operations Commission within the Department of Agriculture, upon third reading.

The Committee Substitute bill passes its third reading and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 571, a bill to amend Article 5A of Chapter 122 of the General Statutes to provide legal representation for the interests of the petitioner in involuntary commitment proceedings by the district attorney or a private attorney appointed by the Administrative Office of the Courts.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 586, a bill to increase to ten thousand dollars the size of an estate for which no inheritance tax return is required.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 596, House Committee Substitute for S. B. 596, a bill to provide for inclusion in gross estate for inheritance tax purposes the first three thousand dollars of gifts made within three years of donor's death.

The House Committee Substitute bill passes its second and third readings and is ordered enrolled.

S. B. 608, a bill to appropriate funds to renovate the Western Carolina Specialty Hospital at Black Mountain.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 624, a bill to appropriate funds to implement the "sunset law for State agencies."

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 630, a bill to appropriate funds to the Department of Cultural Resources to create and maintain two exhibits of portraits of North Carolina Governors elected by the people, one to be based in the State Capitol, and one to be made available for circulation throughout the State for educational purposes.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 637, a bill to appropriate funds for the construction of a Division of Forest Resources Headquarters Building in Alamance County.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 638, a bill to amend the fee which medical examiners receive for making investigations.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 648, Committee Substitute for S. B. 648, a bill to amend the Bicycle and Bikeway Act of 1974 to further provide for the promotion, administration, and regulation of bicycle and bikeway activities in North Carolina.

The Committee Substitute bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 656, a bill to appropriate funds to the City of Raleigh to aid in the construction of a mall from the State Capitol to the proposed Raleigh Civic Center Plaza.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 660, a bill to prohibit the unauthorized use of a motor-propelled conveyance, for concurrence in the House amendments.

On motion of Senator Allsbrook, the Senate concurs in the House amendments and the bill is ordered enrolled.

S. B. 677, a bill to appropriate funds for the rehabilitation of the Roanoke Canal Lock House in Roanoke Rapids.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 683, a bill to provide payment for injuries sustained by pupils in school bus accidents.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 708, a bill to exclude from inheritance taxation the amount of seventy thousand dollars paid as a result of a military family protection, or survivor benefit, plan.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 729, a bill to appropriate funds to the Department of Natural and Economic Resources to rebuild berms at Wrightsville Beach in New Hanover County.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 732, a bill to provide for the construction of State government office buildings in the Cities of Charlotte and Fayetteville.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 751, a bill to repeal Chapter 617 of the Session Laws of 1973 and to provide for the transfer of facilities of the National Driving Center, Inc., to the University of North Carolina.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 772, a bill to determine the value and practicality of providing incentive pay for State employees for gains in the economy and efficiency in the rendering of governmental services.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 775, a bill to establish a Jobs for Veterans Committee within the Department of Administration, Division of Veterans Affairs, to assume the duties of the Governor's Jobs for Veterans Committee and to assist veterans in obtaining employment.

On motion of Senator Hardison, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 779, a bill to appropriate funds for the operation of the Legislative Research Commission's review procedure for administrative rules.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 785, a bill to appropriate funds to the Department of Cultural Resources for the continuance of the Stagville Preservation Center.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 810, a bill to appropriate funds to the Division of Prisons, Department of Correction, for the purpose of continuing a program of education for prisoners and for their rehabilitation.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 819, Committee Substitute for S. B. 819, a bill to amend the General Statutes relating to fees charged for vital records services in order to recover the actual cost of the services.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 833, a bill creating a Consumer Products Safety Commission.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 845, a bill to amend G. S. 115-205.11 to provide for the allocation of kindergarten program funds to county and city boards of education based upon the average daily membership for the best continuous three out of the first four school months of pupils in the kindergarten program during the last school year in that respective school administrative unit.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. J. R. 860, a joint resolution creating a committee for the study of the laws relating to the conservation of wildlife resources in order to make recommendations to the General Assembly for revision and consolidation.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The joint resolution, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 862, a bill to amend Article 17 of Chapter 106 of the General Statutes to provide aggregate State service credit for agriculture, poultry, fruit, vegetable, and grain graders.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 865, a bill to authorize a loan to the Battleship Commission in order to acquire the Blockade Runner Museum.

Senator Smith of New Hanover offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 886, a bill to appropriate funds to the North Carolina Department of Labor to continue funding for OSHA consultant positions expiring on June 30, 1977.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 887, a bill to appropriate funds to the Department of Labor for the purchase of special technical equipment mandated to continue State administration of the Occupational Safety and Health Act.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 892, a bill to amend G. S. 105-60, day-care facilities privilege license tax.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

Without objection, Senator Combs is excused from voting for the stated reason: "Own day care centers."

S. B. 897, a bill to provide an additional tax exemption for persons having chronic irreversible renal disease.

Senator Walker offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 898, a bill to transfer funds from the Highway Fund to the General Fund for the Gasoline and Oil Inspection Subprogram of the Department of Agriculture.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 902, a bill to appropriate funds to the Department of Cultural Resources to improve and operate the State Capitol.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger, without engrossment.

S. B. 904, a bill to appropriate funds to the Department of Agriculture for the surveillance of the swine disease known as pseudorabies.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 914, a bill to provide that the theft of cable television service shall be a misdemeanor.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S. B. 917, a bill to make technical amendments to Chapter 450 of the 1977 Session Laws.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

H. B. 127, Committee Substitute for H. B. 127, a bill to revise and clarify certain provisions of the Machinery Act relating to the powers and duties of the tax supervisor, boards of equalization and review and boards of commissioners, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Henley, Hill, Jordan, Lake, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 36.

The Committee Substitute bill is ordered enrolled.

H. B. 128, Committee Substitute for H. B. 128, a bill to amend and clarify the provisions of the Machinery Act, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Henley, Hill, Jordan, Lake, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 36.

The Committee Substitute bill is ordered enrolled.

H. B. 141, Committee Substitute for **H. B. 141**, a bill to amend Articles 9 and 27 of Chapter 105 of the General Statutes providing for releases, refunds and suits for recovery of taxes, upon second reading.

On motion of Senator Smith of New Hanover, Committee Amendment No. 1 is withdrawn.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 38, noes 1, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Lawing, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Royall, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, and Wynne — 38.

Voting in the negative is: Senator Renfrow — 1.

The Committee Substitute bill remains on the Calendar upon third reading.

H. B. 335, Committee Substitute for **H. B. 335**, a bill to repeal the three year statute of limitations on suits to recover real property sold for non-payment of taxes.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 394, a bill to amend the Firemen's Pension Fund.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives for concurrence in the Senate amendment by special messenger.

H. B. 423, Committee Substitute for **H. B. 423**, a bill to rewrite G. S. 14-399 relating to the crime of littering.

Senator Henley offers Amendment No. 1 which is adopted.

The Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 37, noes 1, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Harris, Henley, Jordan, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of New Hanover, Soles, Speed, Swain, Totherow, Walker, Whichard, White, and Wynne — 37.

Voting in the negative is: Senator Somers — 1.

The Committee Substitute bill, as amended, is ordered, without objection, sent to the House of Representatives for concurrence in the Senate amendment by special messenger.

H. B. 437, a bill to extend the provisions of Chapter 360 of the 1975 Session Laws relating to special probation.

The bill passes its second and third readings and is ordered enrolled.

H. B. 482, a bill to provide benefits to uniformed weight station personnel now available to State highway patrolmen and to inspectors of the License and Theft Section.

The bill passes its second and third readings and is ordered enrolled.

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H. J. R. 512, Committee Substitute for **H. J. R. 512,** a joint resolution to provide for a study of faculty work load and tenure in the University of North Carolina.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 571, a bill to amend G. S. 105-147 of the General Statutes relating to contributions to the Civil Air Patrol.

The bill passes its second and third readings and is ordered enrolled.

H. B. 576, Committee Substitute for **H. B. 576,** a bill providing for mandatory prison confinement for persons convicted of armed robbery, upon third reading.

On motion of Senator Britt, seconded by Senator Allsbrook, the Committee Substitute bill is postponed indefinitely.

H. B. 607, a bill to classify solar energy systems for ad valorem tax purposes, upon second reading.

The bill passes its second reading by roll-call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, and Wynne — 41.

The bill remains on the Calendar upon third reading.

H. B. 653, a bill to amend the Controlled Substances Act to schedule controlled substances previously scheduled by regulation and to make technical corrections in the Act.

The bill passes its second and third readings and is ordered enrolled.

H. B. 728, a bill to amend the Workmen's Compensation Act regarding compensation for disfigurement and loss of important organs or parts of the body.

The bill passes its second and third readings and is ordered enrolled.

H. B. 740, a bill to reduce the maximum workmen's compensation payable for the death of a minor without dependents.

The bill passes its second and third readings and is ordered enrolled.

H. B. 746, Committee Substitute for **H. B. 746,** a bill to eliminate discrimination in the treatment of handicapped and disabled persons.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 792, a bill to authorize the State Board of Alcoholic Control to increase the permit for issuing a retail license fee from twenty-five dollars to fifty dollars, and to increase the price of the wholesale permit from twenty-five dollars to one hundred dollars, upon second reading.

The bill passes its second reading by roll-call vote, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Jordan, Lake, Lawing, Marion, Marvin, McDuffie, Popkin, Rauch, Renfrow, Royall, Sebo, Sharpe, Smith of New Hanover, Soles, Speed, Swain, Totherow, Walker, Whichard, White, Winters, and Wynne — 36.

The bill remains on the Calendar upon third reading.

H. B. 824, Committee Substitute for **H. B. 824**, a bill to provide for a system of educational opportunities for all children requiring special education, as amended.

On motion of Senator Royall, Committee Amendments No. 2 and No. 3 are adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives for concurrence in the Senate amendments by special messenger.

H. B. 858, Committee Substitute for **H. B. 858**, a bill to permit sales and use tax refunds on medicines and drugs purchased by certain hospitals.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 877, Committee Substitute for **H. B. 877**, a bill to increase representation on the Apprenticeship Council.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 880, Committee Substitute for **H. B. 880**, a bill to amend G. S. 95-105 to provide a $10 fee for the periodic inspection of elevators, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Barnes, Britt, Childers, Combs, Daniels, Garrison, Gray, Harris, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, and Wynne — 39.

The Committee Substitute bill remains on the Calendar upon third reading.

H. B. 956, Committee Substitute for **H. B. 956**, a bill to make certain technical amendments to the State Personnel Act.

Committee Amendment No. 1 fails of adoption.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 975, Committee Substitute for **H. B. 975**, a bill to rewrite Chapter 83 of the General Statutes as Chapter 83A relating to architects, as amended, upon second reading.

Senator Soles offers Amendment No. 2 which is adopted.

Senator Garrison offers Amendment No. 3 which is adopted.

The Committee Substitute bill, as amended, passes its second reading by roll-call vote, ayes 35, noes 6, as follows:

Those voting in the affirmative are: Senators Alexander, Allsbrook, Barnes, Britt, Childers, Combs, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Marion, Marvin, McDuffie, Renfrow, Royall, Sebo, Sharpe, Smith of Guilford, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 35.

Those voting in the negative are: Senators Alford, Daniels, Palmer, Popkin, Rauch, and Raynor — 6.

The Committee Substitute bill remains on the Calendar upon third reading.

H. B. 985, a bill to increase the membership of the Textbook Commission, upon third reading.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its third reading and is ordered, without objection, sent to the House of Representatives for concurrence in the Senate amendment by special messenger.

H. B. 1001, a bill to amend G. S. 138-6(a)(3) concerning travel allowances for State officers and employees.

On motion of Senator Royall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives for concurrence in the Senate amendment by special messenger.

H. B. 1023, Committee Substitute for **H. B. 1023,** a bill to provide that money shall not be included when computing the bond of a guardian if it is deposited in an insured account and it may not be withdrawn without a court order, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Barnes, Britt, Childers, Combs, Daniels, Garrison, Gray, Harris, Henley, Hill, Jordan, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, and Wynne — 38.

The Committee Substitute bill remains on the Calendar upon third reading.

H. B. 1033, a bill to extend conditions of termination of parental rights.

On motion of Senator Britt, duly seconded, the bill is postponed indefinitely.

H. B. 1036, a bill to provide a one thousand dollar exemption from income tax for individuals who are deaf.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1048, Committee Substitute for **H. B. 1048**, a bill to waive apprenticeship for cosmetology applicants with 1500 hours of cosmetology education.

On motion of Senator Soles, Committee Amendment No. 1 is adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives for concurrence in the Senate amendment by special messenger.

H. B. 1052, a bill to allow deductions for individual income tax purposes for contributions made by an individual for the benefit of himself and his spouse to individual retirement accounts, individual retirement annuities, or individual retirement bonds which are deductible for federal income tax purposes, and to exempt from inheritance tax distributions from such retirement plans which are excluded from the decedent's gross estate for federal estate tax purposes, and to make other technical amendments to Chapter 105.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1074, Committee Substitute for **H. B. 1074**, a bill to amend G. S. 7A-284 to authorize district court judges to issue oral immediate custody orders in certain child abuse cases.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 1093, a bill to permit religious institutions to allow their parking lots to be used by the public without reducing their property tax exemption, upon third reading.

The bill passes its third reading by roll-call vote, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Henley, Hill, Jordan, Lake, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 36.

The bill is ordered enrolled.

H. B. 1095, Committee Substitute for **H. B. 1095**, a bill to increase driver license points for speed violations in school zone.

On motion of Senator Sharpe, Committee Amendment No. 1 is adopted.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives for concurrence in the Senate amendment by special messenger.

H. B. 1151, Senate Committee Substitute for **H. B. 1151**, a bill to promote the acquisition by the State of buildings and space in buildings having historic, architectural or cultural significance.

The Senate Committee Substitute bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives for consideration of the Senate Committee Substitute bill by special messenger.

H. B. 1152, a bill to impose the one percent, eighty dollar maximum sales and use tax rate upon certain sales of mill machinery to contractors.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1216, Committee Substitute for **H. B. 1216,** a bill to enable registered and licensed practical nurses to carry out the orders of physician's assistants under certain conditions.

On motion of Senator Rauch, Committee Amendment No. 1 is adopted.

Senator Marvin offers Amendment No. 2 which is subsequently withdrawn.

Senator Royall calls the previous question, duly seconded. The call is sustained.

The Committee Substitute bill, as amended, passes its second reading.

Senator Hardison objects to the third reading of the Committee Substitute bill, as amended.

Senator Royall moves that the rules be suspended to the end that the Committee Substitute bill, as amended, be considered upon third reading, which motion prevails.

The Committee Substitute bill, as amended, passes its third reading and is ordered, without objection, sent to the House of Representatives for concurrence in the Senate amendment by special messenger.

H. B. 1233, a bill authorizing the North Carolina Department of Agriculture to regulate the processing and marketing of pen-raised quail.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1276, a bill to amend G. S. 58-40.2 to include insurers and licensed agents within coverage of insurance brokers bond, upon third reading.

The bill passes its third reading by roll-call vote, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Henley, Hill, Jordan, Lake, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 36.

The bill is ordered enrolled.

H. B. 1281, a bill to make technical amendments to existing provisions of G. S. 105-277(f) and to G. S. 160A-399.4-5, relating to the taxation and designation of historic properties, upon third reading.

The bill passes its third reading by roll-call vote, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Henley, Hill, Jordan, Lake, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 36.

The bill is ordered enrolled.

H. B. 1289, Committee Substitute for **H. B. 1289,** a bill to restructure the Wildlife Resources Commission and to make other necessary changes.

The Committee Substitute bill passes its second reading.

Senator Davis objects to the third reading of the Committee Substitute bill.

Senator Garrison moves that the rules be suspended to the end that the Committee Substitute bill be considered upon third reading, which motion prevails.

The Committee Substitute bill passes its third reading.

Senator Garrison moves that the vote by which the Committee Substitute bill passed its third reading be reconsidered, and that the motion do lie upon the table, which motion prevails.

The Committee Substitute bill is ordered enrolled.

H. B. 1299, a bill to increase the fee paid for commercial fishing licenses by nonresidents to two hundred dollars, upon second reading.

The bill passes its second reading by roll-call vote, ayes 35, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Barnes, Britt, Childers, Combs, Davis, Garrison, Gray, Harris, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Renfrow, Royall, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Swain, Totherow, Walker, Webster, Whichard, and White — 35.

The bill remains on the Calendar upon third reading.

H. B. 1313, Committee Substitute for **H. B. 1313**, a bill to require the rendering inoperable of syringes before discarding.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 1318, a bill to clarify the three hundred dollar exemption for individually owned personal property, upon second reading.

The bill passes its second reading by roll-call vote, ayes 33, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Harris, Henley, Marion, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of New Hanover, Speed, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 33.

The bill remains on the Calendar upon third reading.

H. B. 1325, a bill to eliminate imprisonment as punishment for a first offense of misdemeanor possession of a Schedule VI controlled substance, upon third reading.

The bill passes its third reading and is ordered enrolled.

H. B. 1329, a bill to provide workmen's compensation coverage and other benefits for persons serving as volunteer A.B.C. officers.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1350, a bill to make the Child Day-Care Licensing Commission subject to the Administrative Procedure Act, to clarify State authority over unlicensed day-care centers, as amended.

On motion of Senator Renfrow, pending Amendment No. 2, is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives for concurrence in the Senate amendments by special messenger.

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H. B. 1357, a bill to amend G. S. 135 to permit vested members to purchase credit for specific period of absence from State employment for educational advancement when leave of absence for said purpose was not available to member.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1399, a bill to amend the Rules of Civil Procedure relating to service by publication in cases of attachment.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1412, a bill to amend G. S. 105-275(10) and (11) to clarify the classification of personal property stored in public warehouses for ad valorem tax purposes, upon second reading.

The bill passes its second reading by roll-call vote, ayes 33, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Barnes, Britt, Childers, Combs, Davis, Hardison, Henley, Jordan, Lake, Lawing, Marion, Marvin, McDuffie, Palmer, Rauch, Renfrow, Royall, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 33.

The bill remains on the Calendar upon third reading.

H. B. 1426, Committee Substitute for **H. B. 1426**, a bill to provide that money shall not be included when computing the bond of a personal representative or testamentary trustee if it is deposited in an insured account and it may not be withdrawn without a court order, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Henley, Hill, Jordan, Lake, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of New Hanover, Soles, Somers, Speed, Stallings, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 36.

The Commitee Substitute bill is ordered enrolled.

H. B. 1432, a bill to amend Chapter 18A of the General Statutes to authorize an establishment with an "on premise" wine permit to continue selling "on premise" wine no more than 30 days in the event the sanitation grade is reduced to Grade B.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1493, a bill to amend provisions of Chapter 160A of the General Statutes to eliminate inconsistencies, clarify provisions, and improve administrative procedures.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1505, a bill to increase the motor vehicle registration fee for support of driver education programs from two dollars to three dollars, upon second reading.

The bill passes its second reading by roll-call vote, ayes 37, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Barnes, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Jordan, Lake, Lawing, Marion, Marvin, McDuffie, Palmer, Popkin, Rauch, Renfrow, Royall, Sebo, Sharpe, Soles, Speed, Stallings, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 37.

The bill remains on the Calendar upon third reading.

H. B. 1511, a bill to change Utilities Commission hearing transcript fees from thirty cents per page to one dollar per page.

The bill passes its second reading by roll-call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Hill, Jordan, Lake, Lawing, Marion, Marvin, Mathis, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Soles, Somers, Speed, Swain, Totherow, Walker, Webster, Whichard, White, Winters, and Wynne — 39.

The bill remains on the Calendar upon third reading.

H. J. R. 1523, a joint resolution urging Congress to enact enabling legislation looking toward the planning and financing of a White House Conference on Aging in 1980 or 1981.

The joint resolution passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 84, Committee Substitute for S. B. 84, an act to amend the rules of evidence in rape cases.

S. B. 199, an act to amend Chapter 84 of the General Statutes of North Carolina relating to attorneys.

S. B. 230, an act to establish a Consumer and Advocacy Advisory Committee for the Blind.

S. B. 319, Committee Substitute for S. B. 319, an act to authorize the State Board of Alcoholic Control to issue special permits for the sale of intoxicating liquors by certain persons not holding wholesale or retail permits.

S. B. 427, an act to amend the Wound Reporting Law.

S. B. 432, Committee Substitute for S. B. 432, an act to revise and consolidate the Charter of the Town of Valdese and to repeal prior local acts.

S. B. 467, an act amending Chapter 55B, the Professional Corporation Act, so as to allow limited ownership interest in such corporation by nonprofessionals of engineering, architecture and landscape architecture firms.

S. B. 503, an act to allow appeal of a money judgment in magistrate's court to stay execution of the judgment.

S. B. 525, Committee Substitute for S. B. 525, an act to require newspapers to charge the comparable rate for advertisements to all persons running for public office.

S. B. 539, Committee Substitute for S. B. 539, an act to provide for the civil abatement of nuisances including obscene matter.

S. B. 589, Committee Substitute for S. B. 589, an act to amend Article 13, Chapter 130, North Carolina General Statutes, relating to water and sewer sanitation.

S. J. R. 752, a joint resolution expressing the intent of the General Assembly to allow the Department of Natural and Economic Resources to accept federal funds for the planning and development of a State park on the French Broad River.

S. B. 758, an act to amend the Mining Act of 1971, G. S. 74-46 et seq. to provide certain clarifying and technical amendments.

S. B. 759, an act to amend the Sedimentation Pollution Control Act of 1973, G. S. 113A-50 et seq. to provide that actions for collection of civil penalties may be referred to the Attorney General in thirty days.

S. B. 768, an act to amend the Oil Pollution Control Act.

S. B. 820, an act to authorize the levy of punitive damages against any person, firm or corporation that willfully or negligently burns another's timber.

S. B. 827, an act making the breaking into paper currency-operated dispensing machines a felony.

S. B. 841, an act to amend G. S. 15A-1002(a) so as to require specificity in motions questioning the capacity of a criminal defendant to proceed.

S. B. 842, an act to prescribe the essentials of bills of indictment for rape.

S. J. R. 915, a joint resolution providing for adjournment of the 1977 General Assembly on July 1, 1977, at 6:00 P.M., to reconvene for a second session in 1978 for review of the budget for fiscal year 1978-1979 and for consideration of certain other bills.

H. B. 604, Committee Substitute for H. B. 604, an act to require payment of "tips" to persons for whom they are intended.

H. B. 656, an act prohibiting the North Carolina Agriculture Extension Service from refusing to employ persons otherwise qualified, in their home county.

H. B. 658, Committee Substitute for H. B. 658, an act to repeal Articles 13, 13A, 13B, and 25 of General Statutes Chapter 58 relating to the Fire Insurance Rating Bureau, Fire and Casualty Insurance Rate Regulations, and regulation of Automobile Liability Insurance Rates to provide a new method of rate regulation; and to amend Chapters 58 and 97 to consolidate the functions of the Fire Insurance Rating Bureau, the Compensation

Rating and Inspection Bureau, and the Automobile Rate Administrative Office; and to assure the proper operation of the North Carolina Reinsurance Facility on a sustaining but nonprofit basis.

H. B. 1009, an act to amend G. S. 14-34.2, assault with a firearm or other deadly weapon upon law enforcement officer or fireman.

H. B. 1038, an act to authorize the public schools and State Board of Education to transport children with special needs to approved school programs.

H. B. 1042, Committee Substitute for **H. B. 1042,** an act to amend Chapter 17B of the General Statutes by amending G. S. 17B-1 to include additional definitions and by adding a new section to be designated G. S. 17B-3.1 to grant to the North Carolina Criminal Justice Education and Training System Council the authority to regulate traffic upon the grounds of the North Carolina Justice Education and Training Center.

H. B. 1184, Senate Committee Substitute for **H. B. 1184,** an act repealing Chapter 166 of the North Carolina General Statutes, entitled, "North Carolina Civil Preparedness Act of 1951" and enacting a new Chapter 166A in lieu thereof relating to civil preparedness.

H. B. 1206, Committee Substitute for **H. B. 1206,** an act to amend G. S. 15A-274, issuance of order and G. S. 15A-227, service of order.

H. B. 1280, an act to allow the purchaser in a partition sale of real property to withdraw his offer to purchase within fifteen days of the order confirming the sale because of unsatisfied liens.

H. B. 1338, Committee Substitute for **H. B. 1338,** an act to amend Chapters 160A and 153A of the General Statutes to authorize cities and counties to pay certain civil judgements against employees and officers.

H. B. 1345, Committee Substitute for **H. B. 1345,** an act to amend G. S. 58-210(4) relative to requriements for issuing group life insurance to trustees appointed by two or more employers or labor unions for the benefit of employees.

H. B. 1352, an act to provide that rules and regulations governing access to the police information network shall not prohibit an attorney in a criminal proceeding from obtaining information relevant to that criminal proceeding.

H. B. 1358, Senate Committee Substitute for **H. B. 1358,** an act to amend G. S. 66-58 to provide that vocational educational nursery classes may sell bedding plants grown as a part of the programs.

H. B. 1365, an act to amend G. S. 14-306 as it relates to arcade amusement machines and devices.

H. B. 1378, an act to amend the Medical Practice Act.

H. B. 1431, an act to regulate the transportation of spent nuclear fuel upon the highways of North Carolina.

H. B. 1473, an act to amend Chapter 869, Session Laws of 1975 to clarify the exercise of the power of eminent domain by the City of Fayetteville.

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H. B. 1486, an act to repeal G. S. 20-9(g)(4)g affecting the right of appeal of licensees denied driving privileges for physical or mental disabilities.

H. B. 1515, Senate Committee Substitute for **H. B. 1515**, an act to transfer the Commission of Indian Affairs to the Department of Administration under a Type II transfer as defined G. S. 143A-6.

On motion of Senator Henley, the Senate adjourns to meet tomorrow at 11:00 A.M.

ONE HUNDRED TWENTY-THIRD DAY

SENATE CHAMBER,
Friday, July 1, 1977.

The Senate meets pursuant to adjournment and is called to order by the Honorable James C. Green, Lieutenant Governor.

Prayer is offered by Dr. Edward Hughes Pruden, Senate Chaplain, as follows:

"Our Father, as we come to the end of this Session, we would express our thanks for the guidance which has been provided us; for the opportunities we have had to serve our beloved State; for the fellowship with one another which we have enjoyed; and for the satisfaction of knowing that we have sought to make the right decisions.

"Continue to bless us as we return to our homes; and as we observe this weekend, the anniversary of our freedom as a nation, may we resolve to preserve and pass on to future generations, the liberties we now enjoy. And to Thee shall be the praise. Amen."

Senator Henley for the Rules and Operation of the Senate Committee announces that the Journal of yesterday has been examined and is found to be correct, and on his motion the reading of the Journal is dispensed with and it stands approved as written.

Leaves of absence granted previously to Senators Scott, Crawford, Somers, Hill, and Mathis are noted.

S. B. 815, a bill to create a Western North Carolina Museum of History and to establish a Western North Carolina Office of the Division of Archives and History, Department of Cultural Resources.

On motion of Senator Royall, the rules are suspended, and the bill is taken from the **Ways and Means Committee** and re-referred to the **Appropriations Committee.**

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S. B. 110, House Committee Substitute for S. B. 110

HOUSE OF REPRESENTATIVES
July 1, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on S. B. 110, House Committee Substitute for Senate Committee Substitute No. 1 for S. B. 110, a bill to prohibit setting or using trap of leg-gripping, steel-jawed or connibear type for the capturing of animals or birds in North Carolina, to the end that when a similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,
GRACE A. COLLINS
Principal Clerk

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S. B. 341

HOUSE OF REPRESENTATIVES
June 30, 1977

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Amendment to S. B. 341, a bill to define the practice of chiropractic, and guarantee freedom of choice to patients, and to specify the areas of expertise of chiropractors. The Speaker has appointed as conferees on the part of the House, Representatives Michaux, DeBruhl, and Helms to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,
GRACE A. COLLINS
Principal Clerk

CONFERENCE REPORT

S. B. 341

July 1, 1977

Senator Rauch, for the Conferees appointed to consider the differences arising between the Senate and House of Representatives upon S. B. 341, a bill to define the practice of chiropractic, and guarantee freedom of choice to patients, and to specify the areas of expertise of chiropractors, submits the following report:

To the President of the Senate and the Speaker of the House of Representatives:

We, the Conferees appointed to consider and resolve the difference between the two bodies with respect to S. B. 341, a bill to define the practice of chiropractic, and guarantee freedom of choice to patients, and to specify the areas of expertise of chiropractors, respectfully report that we have conferred and agreed as follows:

July 1, 1977

1. That the Senate concur in Amendment No. 1.

2. That the Senate concur in Amendment No. 2.

3. That the House recede from Amendment No. 3.

4. That the Senate concur in Amendment No. 4.

5. That the House recede from Amendment No. 6.

And, to this end, we the said Conferees, recommend that the House of Representatives and the Senate adopt this Conference Report.

MARSHALL A. RAUCH
R. C. SOLES
W. CRAIG LAWING
Conferees on the part of the Senate

H. M. MICHAUX, JR.
CLAUDE DEBRUHL
H. PARKS HELMS
Conferees on the part of the House of Representatives

On motion of Senator Rauch, the Conference Report is adopted and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S. B. 341

HOUSE OF REPRESENTATIVES
July 1, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **S. B. 341**, a bill to define the practice of chiropractic, and guarantee freedom of choice to patients, and to specify the areas of expertise of chiropractors, to the end that when a similar action has been taken on the part of the Senate, you may order the bill enrolled.

Respectfully,
GRACE A. COLLINS
Principal Clerk

The bill is ordered enrolled.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Marion for the **Courts and Judicial Districts Committee:**

S. B. 132, a bill to provide for one additional assistant district attorney in the Twenty-Fourth Judicial District, without prejudice.

On motion on Senator Marion, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

July 1, 1977

S. B. 147, a bill to amend G. S. 7A-41, in the Table, to raise the number of authorized assistant district attorneys in the 13th Judicial District from "2" to "3", without prejudice.

On motion on Senator Marion, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 157, a bill to create a Judicial Nominating Commission and to implement the nonpartisan plan for the selection of judges as required by Article IV, Section 16, of the North Carolina Constitution, without prejudice.

On motion on Senator Marion, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 158, a bill to amend the Constitution of North Carolina to provide for nonpartisan selection of justices and judges of the General Court of Justice, without prejudice.

On motion on Senator Marion, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 162, a bill to provide for two additional assistant district attorneys in the Sixteenth Judicial District, without prejudice.

On motion on Senator Marion, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 190, a bill to amend G. S. 7A-133 to provide an additional magistrate for Sampson County, without prejudice.

On motion on Senator Marion, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 194, a bill to appropriate funds from the General Fund to employ and compensate additional magistrates in Bladen and Brunswick Counties, without prejudice.

On motion of Senator Marion, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 253, a bill to amend G. S. 7A-69 to provide an investigatorial assistant to the district attorney in the 16th Judicial District, without prejudice.

On motion on Senator Marion, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 272, a bill to appropriate funds from the General Fund to employ and compensate an additional magistrate in Cleveland County, without prejudice.

On motion on Senator Marion, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 287, a bill to require that regular judges of the Superior Court be elected by the qualified voters of their respective judicial divisions, without prejudice.

On motion on Senator Marion, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 305, a bill to increase the number of full-time assistant district attorneys in the 23rd Judicial District, without prejudice.

On motion on Senator Marion, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 316, a bill to increase the jurisdictional amount for small claims action from five hundred dollars to one thousand dollars, without prejudice.

On motion on Senator Marion, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 317, a bill to authorize magistrates to enter immediate custody order when district court not open for regular dispatch of business, without prejudice.

On motion on Senator Marion, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 369, a bill to increase jurors' fees from eight dollars to twelve dollars per day, without prejudice.

On motion of Senator Marion, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 400, a bill to amend G. S. 7A-69 to provide an investigatorial assistant to the district attorney in the 3rd and 4th Judicial Districts, without prejudice.

On motion on Senator Marion, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 426, a bill to amend G. S. 7A-133 to authorize two additional magistrates for Hoke County, without prejudice.

On motion on Senator Marion, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 528, a bill to appropriate funds to the Administrative Office of the Courts for two additional deputy clerks and equipment in the office of Clerk of Superior Court in Henderson County, without prejudice.

On motion of Senator Marion, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 529, a bill to amend G. S. 7A-133 to provide an additional magistrate for Polk County, without prejudice.

July 1, 1977

On motion on Senator Marion, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 717, a bill to amend G. S. 7A-69 to give an investigatorial assistant to the District Attorney in the Eleventh Judicial District, without prejudice.

On motion on Senator Marion, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

By Senator Lawing for the **Election Laws Committee:**

H. B. 1531, a bill to establish an eight hour work day for supervisors of elections, with a favorable report.

On motion of Senator Lawing, the rules are suspended and the bill is placed on today's Calendar.

By Senator Totherow for the **Insurance Committee:**

S. B. 150, Committee Substitute for S. B. 150, a bill to repeal Articles 13, 13A, 13B and 25 of the General Statutes Chapter 58 relating to the Fire Insurance Rating Bureau, fire and casualty insurance rate regulations, and regulation of automobile liability insurance rates; to provide a new method of rate regulation; and to amend Chapters 58 and 97 to consolidate the functions of the Fire Insurance Rating Bureau, the compensation Rating and Inspection Bureau, and the Automobile Rate Administrative Office; and to assure the proper operation of the North Carolina Reinsurance Facility on a sustaining but nonprofit basis, without prejudice.

On motion of Senator Totherow, the rules are suspended, and the Committee Substitute bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 179, a bill to establish the North Carolina Insurance Rating Commission to hear and determine rates, forms, and classifications for fire, casualty, legal liability, and miscellaneous insurance lines, without prejudice.

On motion of Senator Totherow, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 246, a bill to amend the General Statutes to permit the North Carolina Fire Insurance Rating Bureau to transact mail or telephone business, without prejudice.

On motion of Senator Totherow, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 338, a bill amending present Article 13, Article 13A and Article 13B of Chapter 58 relating to fire and casualty insurance rate regulation and Article 25 of Chapter 58 relating to automobile liability rate regulation to provide for interim rates and mandatory periodic filings by the rating bureaus, without prejudice.

On motion of Senator Totherow, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

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S. B. 763, a bill to amend Article 25A of Chapter 58 and Article 8B of Chapter 105 of the General Statutes to assure the proper operation of North Carolina Reinsurance Facility on a sustaining but nonprofit basis in order to assure essential motor vehicle insurance to eligible risks, without prejudice.

On motion of Senator Totherow, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

By Senator Allsbrook for the **Judiciary I Committee:**

H. B. 627, Committee Substitute for H. B. 627, a bill to prohibit the public display of sexually explicit material for sale in business establishments, without prejudice.

On motion of Senator Allsbrook, the rules are suspended, and the Committee Substitute bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

H. B. 1307, a bill relating to learned treatises and the hearsay rule, with a favorable report.

On motion of Senator Allsbrook, the rules are suspended and the bill is placed on today's Calendar.

By Senator Britt for the **Judiciary II Committee:**

H. B. 802, Committee Substitute for H. B. 802, a bill repealing the criminal offense of public drunkenness and granting authority to assist persons who become intoxicated in public, with a favorable report.

On motion of Senator Britt, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

H. B. 961, Committee Substitute for H. B. 961, a bill to regulate the number of adult establishments in any one building, with a favorable report.

On motion of Senator Britt, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

H. B. 1373, a bill to require any counsel of record in a criminal case who has made a general entry in the case to continue to serve until released by the court, with a favorable report.

On motion of Senator Britt, the rules are suspended and the bill is placed on today's Calendar.

H. B. 1404, a bill to amend the Felony Firearms Act to include drug violators, add weapons of mass death and destruction to the ones felons are prohibited to possess, make the Act again applicable to out-of-state felony-level offenses, with a favorable report.

On motion of Senator Britt, the rules are suspended and the bill is placed on today's Calendar.

H. B. 1408, a bill to clarify the elements of the crime of safecracking, make it apply when the safe or vault is unlawfully opened without the use of force, and extend the crime to cover haulaways, with a favorable report.

On motion of Senator Britt, the rules are suspended and the bill is placed on today's Calendar.

July 1, 1977

By Senator Childers for the **Manufacturing, Labor and Commerce Committee:**

S. B. 411, a bill to amend the Workmen's Compensation Act regarding compensation for disfigurement and loss of important organs or parts of the body, without prejudice.

On motion of Senator Childers, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 492, a bill to increase representation on the North Carolina Board of Boiler and Pressure Vessels Rules, without prejudice.

On motion of Senator Childers, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

S. B. 493, a bill to increase representation on the Apprenticeship Council, without prejudice.

On motion of Senator Childers, the rules are suspended, and the bill is placed before the Senate for immediate consideration, and on his further motion is postponed indefinitely.

By Senator Royall for the **Special Ways and Means Committee:**

S. B. 831, a bill to provide a revised statewide salary schedule for selected public school personnel, with an unfavorable report.

H. B. 678, Committee Substitute for H. B. 678, a bill to amend the General Statutes to allow credit for prior service with State Government before 1941 for members of the North Carolina Local Governmental Employees' Retirement System, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed on today's Calendar.

H. B. 1237, a bill to establish the North Carolina State Indian Housing Authority, with a favorable report, as amended.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

H. B. 1435, a bill to make Veterans Day a holiday for school children, with a favorable report.

On motion of Senator Royall, the rules are suspended, and the bill is placed on today's Calendar.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following special messages are received from the House of Representatives:

S. J. R. 21, a joint resolution creating a special commission to complete the Legislative Research Commission Study of the feasibility of constructing and financing in North Carolina upon a self-supporting basis or otherwise an indoor sports facility, for concurrence in the House amendment.

On motion of Senator Henley, the rules are suspended, and the joint resolution is placed before the Senate for immediate consideration.

On motion of Senator Allsbrook, the Senate concurs in the House amendment and the joint resolution is ordered enrolled.

S. B. 89, a bill to provide assistance to counties for improvement of land records, for concurrence in the House amendment.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

On motion of Senator Royall, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 125, Committee Substitute for S. B. 125, a bill to amend G. S. 7A-41 to authorize additional resident superior court judges and assistant district attorneys in various judicial districts, for concurrence in the House amendment.

On motion of Senator Henley, the rules are suspended, and the Committee Substitute bill is placed before the Senate for immediate consideration.

On motion of Senator Hardison, the Senate concurs in the House amendment and the Committee Substitute bill is ordered enrolled.

S. B. 224, Committee Substitute for S. B. 224, a bill to divide the Fifteenth and Twenty-seventh Judicial Districts, and to create additional district attorneys, superior court judge, and district court judges as required thereby, and to make appropriations therefor, for concurrence in the House amendment.

On motion of Senator Henley, the rules are suspended, and the Committee Substitute bill is placed before the Senate for immediate consideration.

On motion of Senator Hardison, the Senate concurs in the House amendment and the Committee Substitute bill is ordered enrolled.

S. B. 330, a bill to amend Chapter 135 of the General Statutes to allow district court judges retirement credit for time served as judges of inferior courts, for concurrence in the House amendment.

On motion of Senator Henley, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

On motion of Senator Hardison, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 434, Committee Substitute for S. B. 434, a bill to provide for mandatory periodic judicial review in all cases where the custody of a child is removed from a parent, for concurrence in the House amendment.

On motion of Senator Henley, the rules are suspended, and the Committee Substitute bill is placed before the Senate for immediate consideration.

On motion of Senator Allsbrook, the Senate concurs in the House amendment and the Committee Substitute bill is ordered enrolled.

S. B. 563, Committee Substitute for S. B. 563, a bill to re-create a State Farm Operations Commission within the Department of Agriculture, for concurrence in the House amendment.

On motion of Senator Henley, the rules are suspended, and the Committee Substitute bill is placed before the Senate for immediate consideration.

On motion of Senator White, the Senate concurs in the House amendment and the Committee Substitute bill is ordered enrolled.

S. B. 651, Committee Substitute for S. B. 651, a bill to provide for regulation of bicycles, for concurrence in the House amendments.

On motion of Senator Henley, the rules are suspended, and the Committee Substitute bill is placed before the Senate for immediate consideration.

On motion of Senator Britt, the Senate concurs in the House amendments and the Committee Substitute bill is ordered enrolled.

S. B. 754, a bill to create a commission to study the statewide system of State parks and to make recommendations for necessary legislation to the 1977-1978 Session of the General Assembly, for concurrence in the House amendments.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

On motion of Senator Royall, the Senate concurs in the House amendments and the bill is ordered enrolled.

S. B. 832, Committee Substitute for S. B. 832, a bill providing for mandatory prison confinement for any person convicted of more than one felony, for concurrence in the House amendments.

On motion of Senator Garrison, the rules are suspended, and the Committee Substitute bill is placed before the Senate for immediate consideration.

Senator Britt moves that the Senate fail to concur in the House amendments, which motion prevails.

Senator Britt moves that the President appoint conferees, which motion prevails. The President appoints Senators Britt, Soles, Garrison, Smith of Guilford, and Royall as conferees on the part of the Senate and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

S. J. R. 848, a joint resolution directing the Legislative Research Commission to complete the recodification of North Carolina's Public School Laws, for concurrence in the House amendment.

On motion of Senator Henley, the rules are suspended, and the joint resolution is placed before the Senate for immediate consideration.

On motion of Senator Renfrow, the Senate concurs in the House amendment and the joint resolution is ordered enrolled.

S. B. 882, Committee Substitute for S. B. 882, a bill to make the Lieutenant Governor the Chairman of the Joint Legislative Commission on Governmental Operations, for concurrence in the House amendment.

On motion of Senator Henley, the rules are suspended, and the Committee Substitute bill is placed before the Senate for immediate consideration.

Senator Hardison moves that the Senate fail to concur in the House amendment, which motion prevails.

Senator Hardison moves that the President appoint conferees, which motion prevails. The President appoints Senators Hardison, Henley, and Royall, as conferees on the part of the Senate and a message is ordered sent

to the House of Representatives informing that Honorable Body of such action.

S. B. 910, a bill authorizing the State treasurer to establish a pool account for local governments to fund unemployment compensation liability, for concurrence in the House amendment.

On motion of Senator Henley, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

On motion of Senator Childers, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 912, a bill to delete the requirement that a licensed pilot who is otherwise qualified must serve a two-year apprenticeship before being licensed as an aerial pesticide applicator, for concurrence in the House amendment.

On motion of Senator Henley, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

On motion of Senator Speed, the Senate concurs in the House amendment and the bill is ordered enrolled.

H. B. 20, a bill to appropriate funds to the Department of Cultural Resources to establish the Western North Carolina Heritage Center.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 50, a bill to improve the status and effectiveness of magistrates in the North Carolina System of Justice, to establish a salary classification plan for magistrates and to make an appropriation therefor.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 155, Committee Substitute for **H. B. 155,** a bill to amend G. S. 7A-133 to authorize additional magistrates in certain counties and to provide funds for authorized magistrates in other counties.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed before the Senate for immediate consideration.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 159, a bill to appropriate funds to the Department of Natural and Economic Resources for forest fire control purposes.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 182, a bill to appropriate State funds for the restoration of the Marks House and its dependencies in Stanly County.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 184, a bill to appropriate funds to the Department of Human Resources for fiscal years 1977-79, to be used for a communications system for the blind.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 186, a bill to appropriate funds to employ chaplains in the Division of Youth Services, Department of Human Resources.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 187, a bill to appropriate funds to employ chaplains in the Division of Prisons, Department of Correction.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 240, a bill to amend G. S. 7A-16 to increase the number of judges of the Court of Appeals from nine judges to twelve judges.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 256, a bill appropriating funds to the Department of Cultural Resources for the use of Old Salem in interpreting the history and culture of eighteenth century Piedmont North Carolina for school children and adult visitors.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 330, Committee Substitute for **H. B. 330,** a bill to include voluntary ambulance personnel within the Law Enforcement Officers', Firemen's, Rescue Squad Workers', and Civil Air Patrol Members' Death Benefits Act.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed before the Senate for immediate consideration.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 336, a bill to appropriate funds to the Department of Cultural Resources to help establish a statewide revolving fund for historic preservation.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 339, a bill to appropriate funds to the Department of Natural and Economic Resources for the improvement of oysters and clams in public waters.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 350, a bill to appropriate funds to the Asheville Health Education Museum, a nonprofit corporation.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 354, a bill to appropriate funds for the Schiele Museum of Natural History and Planetarium, Inc., in Gastonia.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 369, a bill to amend Chapter 1007 of the 1971 Session Laws to provide two additional TEACCH Centers in Charlotte and Wilmington.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 412, a bill to appropriate funds to Wilkes Community College to study a proposal to construct on campus a building to house the James Larkin Pearson Collection.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 439, a bill to establish a Consumer and Advocacy Advisory Committee for the Blind

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 441, a bill to appropriate funds for the Avery County Museum.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 502, a bill to appropriate funds to the Administrative Office of the Courts and the Department of Human Resources for use in guardianship proceedings.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 503, a bill to appropriate funds to the Department of Cultural Resources for the New Bern Academy Historical Commission to plan and restore the New Bern Academy, New Bern.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 522, Committee Substitute for H. B. 522, a bill to create a commission to study and evaluate Article 33B, The Meetings of Governmental Bodies, (G. S. 143-318).

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On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed before the Senate for immediate consideration.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 532, a bill to appropriate funds to the Department of Human Resources for fiscal years 1977-1979 to establish and fund the Division for Aging.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. J. R. 533, a joint resolution creating a commission to study the problems and needs of the aging population in North Carolina and to make recommendations to the General Assembly.

On motion of Senator Royall, the rules are suspended, and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second and third readings and is ordered enrolled.

H. B. 545, a bill to appropriate funds for completion of the restoration of Fort Defiance and its dependencies in Caldwell County.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 553, a bill to appropriate funds for the preservation of "Richmond Hill Law School" in Yadkin County.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 565, a bill to appropriate funds to the North Carolina Alcoholism Research Authority to provide for scientific research.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 569, a bill to appropriate funds for Mitchell Community College.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 584, a bill to appropriate funds for the construction of a Forestry Service Headquarters Building in Wilkes County.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 598, a bill to appropriate funds to the Department of Natural and Economic Resources for a Forest Services District Headquarters Building for northwestern North Carolina.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

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H. B. 618, a bill to appropriate funds to the Department of Natural and Economic Resources for forest fire control purposes.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 625, Committee Substitute for **H. B. 625**, a bill to establish the North Carolina Internship Council of the Department of Administration.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed before the Senate for immediate consideration.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 630, a bill to create the Legislative Commission on Medical Cost Containment.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 633, Committee Substitute for **H. B. 633**, a bill to amend G. S. 7A-69 to authorize investigatorial assistants in certain judicial districts.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed before the Senate for immediate consideration.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 643, a bill to appropriate funds for Mountain Gateway Museum.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 654, a bill to appropriate funds to North Carolina State University for development and research on a solar thermal conversion unit which will produce a minimum of 1,000 KWH of electricity per month, and be reliable and relatively free of maintenance.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 674, a bill to create the Joint Commission on the Study of the Public School Salary Index Schedule.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 696, a bill to appropriate matching funds to assist in the restoration and preservation of Stonewall in Nash County.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. J. R. 702, a joint resolution directing the Legislative Research Commission to study possible North Carolina adoption of the Model Land Devel-

opment Code proposed by the American Law Institute, and to report to the 1979 General Assembly.

On motion of Senator Royall, the rules are suspended, and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second and third readings and is ordered enrolled.

H. B. 742, a bill to appropriate funds to the Department of Cultural Resources for Historic Wilmington Foundation, Inc., to plan for and restore the De Rosset House, Wilmington.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 756, a bill to appropriate for the restoration of the William King House in Bertie County.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 764, a bill appropriating funds to the Department of Natural and Economic Resources for the purchase and operation of a forest fire control plowing unit for Vance, Granville and Person Counties.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 766, a bill to appropriate funds for the preservation and restoration of the Franklin House in Surry County.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 768, a bill to appropriate funds for Historic Edenton, Inc.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 775, Committee Substitute for **H. B. 775,** a bill to amend Article 5A of Chapter 122 of the General Statutes to provide legal representation for the interests of the petitioner in involuntary commitment proceedings by a part-time private attorney appointed by the senior resident superior court judge.

On motion of Senator Henley, the rules are suspended, and the Committee Substitute bill is placed before the Senate for immediate consideration.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 780, a bill to appropriate funds to the Department of Human Resources to supplement the Preventive Dental Health Program and supportive services.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 793, a bill to appropriate funds to assist the restoration of Harmony Hall in the City of Kinston.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 795, Committee Substitute for **H. B. 795**, a bill to amend G. S. 14-71 and G. S. 14-72 to make possession of stolen goods unlawful.

On motion of Senator Henley, the rules are suspended, and the Committee Substitute bill is placed before the Senate for immediate consideration.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 806, a bill to create a study commission to determine the best method for state, counties and cities to furnish liability insurance coverage for law enforcement officers.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 812, a bill to appropriate funds for the Tar Heel Junior Historian Association.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 842, a bill authorizing state-supported institutions of higher education, community colleges, industrial education centers and technical institutes to permit North Carolina residents at least sixty-five years of age to attend classes without payment of tuition.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 854, a bill to appropriate funds to the Department of Human Resources for Special Olympics.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 857, Committee Substitute for **H. B. 857**, a bill to appropriate funds for the construction and/or operation of certain farmers' markets.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed before the Senate for immediate consideration.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 861, a bill to appropriate funds to assist the Martin County Historical Society, Inc., in the purchase of the Asa Biggs birthplace.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

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H. B. 867, a bill to appropriate funds to improve navigation in Broad Creek in Beaufort County.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 908, a bill to appropriate funds for navigation projects.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 918, Committee Substitute for H. B. 918, a bill to amend Chapter 1418 of the 1973 Session Laws relating to the financing of public assistance.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed before the Senate for immediate consideration.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 939, a bill to appropriate funds to the Department of Human Resources to be used to increase the rate of incentive pay for delinquent juveniles committed to the custody of the Division of Youth Services who participate in the incentive work program of the Division of Youth Services.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 947, a bill to appropriate funds to the Department of Cultural Resources for the purpose of development of North Carolina's nonprofit professional theatres.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 967, a bill to reimburse Vance County and the City of Henderson for extraordinary expenses arising out of the Sandra Dupree murder trial.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 978, a bill to appropriate funds to provide for publication of the Catherine Ann Devereux Edmonston Diary.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 988, a bill to authorize the State Board of Education from available funds to the Board to provide research and clerical staff for the Council on Educational Services for Exceptional Children and travel reimbursement.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 992, Committee Substitute for H. B. 992, a bill to establish a State Fire Commission.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed before the Senate for immediate consideration.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 996, a bill to amend G. S. 108-24(3) to include within the definition of "dependent child" persons under 21 years of age as provided by Titles IV-A and XIX of the Social Security Act.

Referred to **Human Resources Committee.**

On motion of Senator Harris, the rules are suspended, and the bill is taken from the **Human Resources Committee** and placed on the Calendar for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1004, a bill to appropriate additional funds to the Library Resources Program.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1012, a bill amending G. S. 115A-5 to include patients in State alcoholic rehabilitation centers within the waiver proviso of the said statute.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1017, a bill to establish a State Council for the Hearing Impaired and community services to the hearing impaired.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1029, a bill to appropriate funds to the Granville County Historical Society for its historical site.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1041, a bill to appropriate funds for the construction and operation of a Pine Mouse Research Laboratory at Mountain Horticultural Crops Research Station, Fletcher, North Carolina.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1058, a bill to appropriate funds for the construction of a Forestry Service Headquarters Building in Macon County.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1059, a bill appropriating funds to the North Carolina Department of Agriculture for expansion of the Animal Disease Diagnostic Laboratory in Union County, and appropriating further funds for the operation thereof.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1064, a bill to appropriate funds for the restoration of Blandwood in Greensboro, North Carolina.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1068, a bill to permit the Council of State to allocate funds from the Contingency and Emergency Fund to tax-exempt outdoor historical dramas.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1069, a bill to establish a State Coordinator of Services for Victims of Sexual Assault.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1078, a bill to appropriate funds to the Department of Natural and Economic Resources for implementation of the Forest Development Act.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1100, a bill to appropriate funds for the preservation of the Jacob W. Holt House in Warrenton, Warren County.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1113, Committee Substitute for **H. B. 1113,** a bill to amend **H. B. 1113** dated May 6, 1977, to provide increased support of library/media personnel in the public schools through an allocation of funds.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed before the Senate for immediate consideration.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 1118, a bill to appropriate additional funds for the Chronic Renal Disease Control Program.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1127, a bill to make a special appropriation for the needs of Fort Macon State Park.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1138, a bill to appropriate funds for Malcolm Blue Historical Society.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1154, Committee Substitute for **H. B. 1154**, a bill to improve the administration of the Food Stamp Program in North Carolina.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute bill is placed before the Senate for immediate consideration.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 1163, a bill to appropriate funds for the Charlotte Opera Association.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1171, a bill to amend Chapter 122A of the General Statutes to authorize the North Carolina Housing Finance Agency to guarantee loans for the purpose of assisting persons and families of lower income to lower heating costs in owner occupied residences, thus reducing consumption on nonrenewable sources of energy; and to appropriate necessary funds for this purpose.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1189, a bill to provide for the development and promotion of Historic Edenton and other historic sites in northeastern North Carolina.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1209, a bill to make the Tri-County Technical Institute a comprehensive community college.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1238, a bill to amend the General Statutes of North Carolina to provide for repayment of the participating institutions' proportionate share upon repurchase of his contract by a member in the Universities' Optional Retirement Plan.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1243, a bill to appropriate funds to provide services to local and State historical organizations and to establish a revolving fund for the publication of local historical writings.

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On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1251, a bill to appropriate funds for the North Carolina Museum of Life and Science.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1269, a bill to appropriate funds for a comprehensive Historic Sites Survey in Fayetteville and Cumberland County.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. J. R. 1274, Committee Substitute for **H. J. R. 1274**, a joint resolution creating a commission to study the feasibility of establishing horse racing in North Carolina.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute joint resolution is placed before the Senate for immediate consideration.

The Committee Substitute joint resolution passes its second and third readings and is ordered enrolled.

H. B. 1279, a bill to authorize the Department of Human Resources to extend coverage under the Crippled Children's Program to persons with Cystic Fibrosis who are twenty-one years of age or older and to appropriate funds therefor.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. J. R. 1283, Committee Substitute for **H. J. R. 1283**, a joint resolution directing the establishment of a commission to study Chapter 24 of the General Statutes and related credit and interest laws, and to determine the feasibility of establishing one supervisory authority over all lenders in North Carolina.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute joint resolution is placed before the Senate for immediate consideration.

The Committee Substitute joint resolution passes its second and third readings and is ordered enrolled.

H. J. R. 1291, Committee Substitute for **H. J. R. 1291**, a joint resolution to provide for a study of the formulas and funding procedures whereby the State Board of Education allocates funds to local administrative units.

On motion of Senator Royall, the rules are suspended, and the Committee Substitute joint resolution is placed before the Senate for immediate consideration.

The Committee Substitute joint resolution passes its second and third readings and is ordered enrolled.

H. B. 1300, a bill revising benefits of the Law Enforcement Officers' Benefit and Retirement Fund.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1301, a bill to appropriate twenty-five thousand dollars to the Department of Human Resources for allocation to the Morton Pritchard Alcoholic Rehabilitation Farm in Johnston County.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1303, a bill to authorize the transfer of funds to the Department of Cultural Resources for the purpose of development and operation of the Historic Seaboard Coastline Building as a Railroad Museum.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1312, a bill to appropriate funds to keep North Carolina Beautiful, Inc.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. J. R. 1360, a joint resolution directing the establishment of a commission to study housing and buildings codes in North Carolina to determine whether these codes have the effect of restricting home ownership.

On motion of Senator Royall, the rules are suspended, and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second and third readings and is ordered enrolled.

H. J. R. 1377, a joint resolution to establish a study commission on the duties of the Lieutenant Governor.

On motion of Senator Royall, the rules are suspended, and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second and third readings and is ordered enrolled.

H. J. R. 1381, a joint resolution creating a committee for the study of the collection of property taxes on motor vehicles.

On motion of Senator Royall, the rules are suspended, and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second and third readings and is ordered enrolled.

H. J. R. 1385, a joint resolution directing the Legislative Research Commission to study the problem of price instability in the commercial fishing industry and to report to the next appropriate session of the General Assembly.

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On motion of Senator Royall, the rules are suspended, and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second and third readings and is ordered enrolled.

H. B. 1387, a bill to appropriate funds to the Department of Cultural Resources for the acquisition, planning, and stabilization of the Historic Southern Railway Spencer Shops.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. J. R. 1409, a joint resolution to provide for a study by the Legislative Research Commission concerning the financing of water resources development projects.

On motion of Senator Royall, the rules are suspended, and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second and third readings and is ordered enrolled.

H. J. R. 1414, a joint resolution creating the Commission on the Study of the Role of the Physician's Assistant and Nurse Practitioner in the Delivery of Medical Services.

On motion of Senator Royall, the rules are suspended, and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second and third readings and is ordered enrolled.

H. B. 1422, a bill to appropriate funds to the Board of Governors for a summer pilot reading clinic.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1452, a bill to appropriate four thousand dollars in each fiscal year of the 1977-1979 biennium for the travel, subsistence, and per diem expenses of the North Carolina Code Officials Qualification Board.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1454, a bill to appropriate funds to begin the preparation of a Biographical Directory of the General Assembly of North Carolina from 1665 to the present, and to collect and mount pictures of officers of the General Assembly and of recent members of the General Assembly in the Legislative Building.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1500, a bill to appropriate funds to the Department of Human Resources for the Third Party Liability Collection Operation.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1514, a bill to appropriate funds to the Charlotte Symphony Orchestra, Inc.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1518, a bill to appropriate funds to the Department of Agriculture for an expanded Fire Ant Program.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1521, a bill creating a Regional Councils of Governments Study Commission.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1522, a bill to appropriate funds to the Department of Natural and Economic Resources for soil mapping matching grants.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1524, a bill to appropriate funds to the Department of Insurance to avoid a work overload.

On motion of Senator Royall, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1534, a bill to amend Chapter 917 of the 1977 Session Laws so as to conform to applicable federal laws.

On motion of Senator Henley, the rules are suspended, and the bill is placed before the Senate for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S. B. 832, Committee Substitute for S. B. 832

HOUSE OF REPRESENTATIVES
July 1, 1977

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House amendment to S. B. 832, Committee Substitute for S. B. 832, a bill

providing for mandatory prison confinement for any person convicted of more than one felony, the Speaker has appointed as conferees on the part of the House, Representatives Quinn, Ramsey, Michaux, Morgan, and Plyler to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,
GRACE A. COLLINS
Principal Clerk

CONFERENCE REPORT

Committee Substitute for S. B. 832

Senator Britt, for the Conferees appointed to consider the differences arising between the Senate and House of Representatives upon S. B. 832, Committee Substitute for S. B. 832, a bill providing for mandatory prison confinement for any person convicted of more than one felony, submits the following report:

To the President of the Senate and the Speaker of the House of Representatives:

We, your conferees appointed to resolve the differences arising between the Senate and the House of Representatives on S. B. 832, Committee Substitute for S. B. 832, a bill providing for mandatory prison confinement for any person convicted of more than one felony, wish to report as follows:

1. The House will recede from Amendment No. 1 offered by Representative Plyler on June 30, 1977.

2. The House will recede from Amendment No. 2 offered by Representative Plyler on June 30, 1977.

3. The House will recede from that portion of the amendment offered by Representative Morgan dated June 30, 1977, which reads as follows: "Amend the bill on page 3, line 2, by inserting after the end of line 2 a new paragraph to read as follows: For the purposes of this section, the term 'felony' shall include only those crimes declared to be felonies or punished as felonies by Chapter 14 of the General Statutes." And the Senate will concur in the remainder of said amendment which reads as follows: "Amend on page 1, line 12 by deleting the words 'ten years' and insert in lieu thereof the words 'seven years'."

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 1st day of July, 1977.

LUTHER J. BRITT, JR.
R. C. SOLES, JR.
JAMES B. GARRISON
MCNEILL SMITH
KENNETH C. ROYALL, JR.
Conferees on the part of the Senate

DWIGHT W. QUINN
LISTON B. RAMSEY
H. M. MICHAUX, JR.
JAMES F. MORGAN
A. W. PLYLER
Conferees on the part of the House of Representatives

On motion of Senator Britt, the Conference Report is adopted and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S. B. 832, Committee Substitute for S. B. 832

HOUSE OF REPRESENTATIVES
July 1, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on S. B. 832, Committee Substitute for S. B. 832, a bill providing for mandatory prison confinement for any person convicted of more than one felony, to the end that when a similar action has been taken on the part of the Senate, you may order the bill enrolled.

Respectfully,
GRACE A. COLLINS
Principal Clerk

The Committee Substitute bill is ordered enrolled.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

July 1, 1977

S. B. 882, Committee Substitute for S. B. 882

HOUSE OF REPRESENTATIVES
July 1, 1977

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in the House amendment to S. B. 882, Committee Substitute for S. B. 882, a bill to make the Lieutenant Governor the Chairman of the Joint Legislative Commission on Governmental Operations, the Speaker has appointed as conferees on the part of the House, Representatives Harris of Alamance, Rountree, and Tennille to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,
GRACE A. COLLINS
Principal Clerk

CONFERENCE REPORT

S. B. 882, Committee Substitute for S. B. 882

Senator Hardison, for the Conferees appointed to consider the differences arising between the Senate and House of Represntatives upon S. B. 882, Committee Substitute for S. B. 882, a bill to make the Lieutenant Governor the Chairman of the Joint Legislative Commission on Governmental Operations, submits the following report:

To the President of the Senate and the Speaker of the House of Representatives:

We, your Conferees appointed to resolve the differences arising between the Senate and the House of Representatives on S. B. 882, Committee Substitute for S. B. 882, a bill to make the Lieutenant Governor the Chairman of the Joint Legislative Commission on Governmental Operations, wish to report as follows:

The Conferees agree to amend the House amendment by inserting "and the Assistant Majority Leader of the Senate" after "the Speaker Pro Tempore of the House,"; and further amend on page 1, line 9, by striking the figure "12" following the word "of" and adding "13".

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 1st day of July, 1977.

HAROLD HARDISON
JOHN T. HENLEY
KENNETH C. ROYALL, JR.
Conferees on the part of the Senate

W. S. HARRIS
HORTON ROUNTREE
MARGARET TENNILLE
Conferees on the part of the House of Representatives

On motion of Senator Hardison, the Conference Report is adopted and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S. B. 882, Committee Substitute for S. B. 882

HOUSE OF REPRESENTATIVES
July 1, 1977

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on S. B. 882, Committee Substitute for S. B. 882, a bill to make the Lieutenant Governor the Chairman of the Joint Legislative Commission on Governmental Operations, to the end that when a similar action has been taken on the part of the Senate, you may order the bill enrolled.

Respectfully,
GRACE A. COLLINS
Principal Clerk

The Committee Substitute bill is ordered enrolled.

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 141, Committee Substitute for **H. B. 141**, a bill to amend Articles and 27 of Chapter 105 of the General Statutes providing for releases, refunds and suits for recovery of taxes, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 33, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Allsbrook, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris,

Henley, Jordan, Lake, Lawing, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Whichard, and White — 33.

The Committee Substitute bill is ordered enrolled.

H. B. 607, a bill to classify solar energy systems for ad valorem tax purposes, upon third reading.

The bill passes its third reading by roll-call vote, ayes 33, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Allsbrook, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Jordan, Lake, Lawing, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Smith of New Hanover, Soles, Speed, Swain, Totherow, Whichard, White, and Winters — 33.

The bill is ordered enrolled.

H. B. 678, Committee Substitute for H. B. 678, a bill to amend the General Statutes to allow credit for prior service with State Government before 1941 for members of the North Carolina Local Governmental Employees' Retirement System.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 792, a bill to authorize the State Board of Alcoholic Control to increase the permit for issuing a retail license fee from twenty-five dollars to fifty dollars, and to increase the price of the wholesale permit from twenty-five dollars to one hundred dollars, upon third reading.

The bill passes its third reading by roll-call vote, ayes 33, noes 0, as follows:

Those voting in the affirmative are: Senators Allsbrook, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Jordan, Lake, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Walker, Whichard, White, and Winters — 33.

H. B. 802, Committee Substitute for H. B. 802, a bill repealing the criminal offense of public drunkenness and granting authority to assist persons who become intoxicated in public.

The Committee Substitute bill passes its second reading.

Senator Davis objects to the third reading of the bill.

Senator Britt moves that the rules be suspended to the end that the Committee Substitute bill may be considered upon third reading, which motion fails to prevail.

On motion of Senator Britt, the Committee Substitute bill is re-committed to the Judiciary II Committee.

H. B. 880, Committee Substitute for H. B. 880, a bill to amend G. S. 95-105 to provide a $10 fee for the periodic inspection of elevators, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 35, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Allsbrook, Barnes, Britt, Childers, Combs, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Jordan, Lake, Lawing, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Walker, Whichard, White, and Winters — 35.

The Committee Substitute bill is ordered enrolled.

H. B. 905, a bill to provide for use of depositions.

The bill passes its second and third readings and is ordered enrolled.

H. B. 928, Committee Substitute for **H. B. 928,** a bill to amend G. S. 54-33.3 to allow fewer than ten State chartered savings and loan associations to invest in service corporations and to allow the administrator to approve permitted data processing activities of such service corporations.

Senator Renfrow offers Amendment No. 1 which is adopted.

Senator Popkin offers Amendment No. 2 which is adopted.

Senator Gray moves that the vote by which Amendment No. 2 was adopted be reconsidered, which motion prevails.

Amendment No. 2 fails of adoption.

Senator Popkin offers Amendment No. 3 which fails of adoption.

Senator Popkin moves that the Committee Substitute bill, as amended, be recommitted to the **Banking Committee.**

Senator Lawing moves that the motion to recommit the Committee Substitute bill, as amended, to the **Banking Committee** do lie upon the table which motion fails to prevail.

The motion to recommit the Committee Substitute bill, as amended, to the **Banking Committee** fails to prevail.

The Committee Substitute bill, as amended, passes its second reading.

Senator Popkin objects to the third reading of the Committee Substitute bill, as amended.

Senator Lawing moves that the rules be suspended to the end that the Committee Substitute bill, as amended, be considered upon third reading, which motion prevails.

The Committee Substitute bill, as amended, passes its third reading and is ordered, without objection, sent to the House for concurrence in the Senate amendment, by special messenger.

H. B. 961, Committee Substitute for **H. B. 961,** a bill to regulate the number of adult establishments in any one building.

Senator Swain moves that the Committee Substitute bill be recommitted to the **Judiciary II Committee,** which motion fails to prevail.

Senator Swain calls the previous question, duly seconded. The call is sustained.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 975, Committee Substitute for **H. B. 975,** a bill to rewrite Chapter 83 of the General Statutes as Chapter 83A relating to architects, as amended, upon third reading.

On motion of Senator Davis, the Committee Substitute bill, as amended, is recommitted to the **Judiciary II Committee.**

H. B. 1002, Committee Substitute No. 2 for **H. B. 1002,** a bill to outlaw carrying weapons into assemblies and establishments where intoxicating liquors are sold and consumed.

The Committee Substitute bill No. 2 passes its second and third readings and is ordered enrolled.

H. B. 1023, Committee Substitute for **H. B. 1023,** a bill to provide that money shall not be included when computing the bond of a guardian if it is deposited in an insured account and it may not be withdrawn without a court order, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 33, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Allsbrook, Barnes, Britt, Childers, Daniels, Davis, Garrison, Hardison, Harris, Henley, Jordan, Lake, Lawing, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Walker, Whichard, White, and Winters — 33.

The Committee Substitute bill is ordered enrolled.

H. B. 1156, a bill to amend G. S. 20-218 pertaining to school activity bus speed limits.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1237, a bill to establish the North Carolina State Indian Housing Authority.

On motion of Senator Soles, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered, without objection, sent to the House of Representatives for concurrence in the Senate amendment by special messenger.

H. B. 1299, a bill to increase the fee paid for commercial fishing licenses by nonresidents to two hundred dollars, upon third reading.

The bill passes its third reading by roll-call vote, ayes 33, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Allsbrook, Barnes, Britt, Childers, Daniels, Davis, Gray, Hardison, Harris, Henley, Jordan, Lake, Lawing, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of New Hanover, Soles, Speed, Stallings, Swain, Walker, Whichard, White, and Winters — 33.

The bill is ordered enrolled.

H. B. 1306, Committee Substitute for **H. B. 1306,** a bill validating certain deeds executed by counties before January 1, 1977.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H. B. 1307, a bill relating to learned treatises and the hearsay rule.

The bill passes its second and third readings and is ordered enrolled.

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H. B. 1318, a bill to clarify the three hundred dollar exemption for individually owned personal property, upon third reading.

The bill passes its third reading by roll-call vote, ayes 33, noes 0, as follows:

Those voting in the affirmative are: Senators Allsbrook, Barnes, Britt, Childers, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Jordan, Lake, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Walker, Whichard, White, and Winters — 33.

The bill is ordered enrolled.

H. B. 1347, a bill to amend day care laws to provide that fence requirements will not be applicable to facilities operated in public school buildings.

Senator Combs moves that the bill be re-referred to the **Judiciary II Committee.**

Senator Hardison offers a substitute motion that the motion to re-refer the bill to the **Judiciary II Committee** do lie upon the table, which motion prevails.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1373, a bill to require any counsel of record in a criminal case who has made a general entry in the case to continue to serve until released by the court.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1394, a bill to amend G. S. 8-53 to allow a deceased's next of kin, when the estate is unadministered, to authorize the release of confidential information contained in deceased's medical records.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1404, a bill to amend the Felony Firearms Act to include drug violators, add weapons of mass death and destruction to the ones felons are prohibited to possess, make the Act again applicable to out-of-state felony-level offenses.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1408, a bill to clarify the elements of the crime of safecracking, make it apply when the safe or vault is unlawfully opened without the use of force, and extend the crime to cover haulaways.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1412, a bill to amend G. S. 105-275(10) and (11) to clarify the classification of personal property stored in public warehouses for ad valorem tax purposes, upon third reading.

The bill passes its third reading by roll-call vote, ayes 32, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Allsbrook, Barnes, Childers, Daniels, Davis, Garrison, Gray, Hardison, Harris, Henley, Jordan, Lawing, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall,

Sebo, Sharpe, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Walker, Whichard, and White — 32.

The bill is ordered enrolled.

H. B. 1435, a bill to make Veterans Day a holiday for school children.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1491, a bill to repeal G. S. 45-40 concerning the entry of satisfaction on the real property indexes.

The bill passes its second and third readings and is ordered enrolled.

H. B. 1505, a bill to increase the motor vehicle registration fee for support of driver education programs from two dollars to three dollars, upon third reading.

The bill passes its third reading by roll-call vote, ayes 31, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Barnes, Childers, Davis, Garrison, Gray, Hardison, Harris, Henley, Jordan, Lake, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Smith of New Hanover, Soles, Speed, Stallings, Swain, Totherow, Walker, Whichard, White, and Winters — 31.

The bill is ordered enrolled.

H. B. 1511, a bill to change Utilities Commission hearing transcript fees from thirty cents per page to one dollar per page, upon third reading.

The bill passes its third reading by roll-call vote, ayes 31, noes 0, as follows:

Those voting in the affirmative are: Senators Alexander, Barnes, Childers, Davis, Garrison, Gray, Hardison, Harris, Henley, Jordan, Lake, Lawing, Marvin, McDuffie, Palmer, Popkin, Rauch, Raynor, Renfrow, Royall, Sebo, Sharpe, Soles, Speed, Stallings, Swain, Totherow, Walker, Whichard, White, and Winters — 31.

The bill is ordered enrolled.

H. B. 1531, a bill to establish an eight hour work day for supervisors of elections.

The bill passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. J. R. 21, a joint resolution directing the Legislative Research Commission to complete its study of the feasibility of constructing and financing in North Carolina upon a self-supporting basis or otherwise an indoor sports facility.

S. B. 55, an act to amend Chapter 143 of the General Statutes to prevent the improper expenditure or transfer of funds.

S. B. 59, Committee Substitute for S. B. 59, an act to amend Chapter 766 of the 1973 Session Laws (previously amended by Chapter 903 of the 1975 Session Laws) to extend the application of the Law Enforcement Officers' Minimum Salary Act increasing minimum salary levels and establishing required funding percentages by participating agencies.

S. B. 89, an act to provide assistance to counties for improvement of land records.

S. B. 91, Committee Substitute for S. B. 91, an act to establish a land records management program in the Department of Administration.

S. B. 96, an act to increase the inheritance tax exemption applicable to surviving spouses to twenty thousand dollars.

S. B. 102, Committee Substitute for S. B. 102, an act to revise the interest rate on tax assessments.

S. J. R. 104, Committee Substitute for S. J. R. 104, a joint resolution directing the Legislative Research Commission to study the feasibility of establishing a Sea World in the coastal area of North Carolina.

S. B. 110, House Committee Substitute for Senate Committee Substitute No. 1 for S. B. 110, an act to prohibit setting or using trap of leg-gripping, steel-jawed or connibear type for the capturing of animals or birds in North Carolina.

S. B. 120, an act to appropriate funds to establish regional education centers for children with special needs.

S. B. 125, Committee Substitute for S. B. 125, an act to amend G. S. 7A-41 to authorize additional resident superior court judges and assistant district attorneys in various judicial districts.

S. B. 189, an act to amend Article 31 of Chapter 143 of the General Statutes to provide for the defense of school bus maintenance mechanics in civil actions alleging negligence.

S. B. 218, an act to appropriate General Funds to the Department of Human Resources for the purposes of providing support to Youth Unlimited, Inc.

S. B. 224, Committee Substitute for S. B. 224, an act to divide the Fifteenth and Twenty-seventh Judicial Districts, and to create additional district attorneys, superior court judge, and district court judges as required thereby and to make further appropriations therefor.

S. B. 270, an act to amend the Uniform Judicial Retirement Act to allow credit for past service as solicitor or district attorney.

S. B. 282, an act to appropriate funds to the North Carolina Symphony Society, Incorporated.

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S. B. 291, an act to amend Chapter 135 of the General Statutes to preserve retirement benefits for employees of the former Chapel Hill Telephone Company and the former University service plants.

S. B. 318, Committee Substitute for **S. B. 318,** an act providing for mandatory prison confinement for persons convicted of armed robbery or burglary.

S. B. 327, an act to establish the Grassroots Arts Program within the Department of Cultural Resources and to appropriate funds for this Program.

S. B. 330, an act to amend Chapter 135 of the General Statutes to allow district court judges retirement credit for time served as judges of inferior courts.

S. B. 337, an act to appropriate funds to assist in the restoration of the Newbold-White House in Perquimans County.

S. B. 341, an act to define the practice of chiropractic, and guarantee freedom of choice to patients, and to specify the areas of expertise of chiropractors.

S. B. 374, an act to appropriate funds for the James Iredell House State Historic Site.

S. B. 375, an act to appropriate funds for restoration work at the Cupola and Barker Houses in Edenton.

S. B. 378, Committee Substitute for **S. B. 378,** an act to transfer the Governor's Council on Employment of the Handicapped and the Governor's Advocacy Council on Children and Youth from the Department of Human Resources to the Department of Administration.

S. B. 395, Committee Substitute for **S. B. 395,** an act to appropriate funds to the Administrative Office of Courts for additional deputy clerks of court and clerical equipment in certain counties.

S. B. 407, an act to appropriate funds for the maintenance of the site surrounding the oldest and largest American holly tree in the world.

S. B. 428, an act to authorize the University System, the State Board of Education and the Department of Human Resources to redirect funds for the purpose of developing and implementing a teacher-training program for exceptional children.

S. B. 434, Committee Substitute for **S. B. 434,** an act to provide for mandatory periodic judicial review in all cases where the custody of a child is removed from a parent.

S. B. 436, an act to appropriate funds to the Department of Human Resources to be used for the development of community-based alternatives to training schools.

S. B. 448, an act to amend Article 7 of Chapter 110 of the General Statutes entitled "Day-Care Facilities" to change the penalty for violation and to provide assistance in the suppression of unlicensed day-care facilities.

S. B. 453, Committee Substitute for S. B. 453, an act to regulate the handling of tenant security deposits in residential dwelling units.

S. B. 460, Committee Substitute for S. B. 460, an act providing for the review of administrative rules.

S. B. 461, Committee Substitute for S. B. 461, an act to appropriate funds for certain injuries and deaths.

S. B. 477, an act to provide that the proceeds from the sale of State park lands shall be deposited with the State Treasurer to the credit of the Department of Administration to be used for the purchase of park lands.

S. B. 515, an act prohibiting discrimination in business based upon foreign trade relationships and certain other factors.

S. B. 517, an act to authorize the State Board of Education to use funds appropriated to the Board for pupil transportation for purposes of providing transportation services to children with special needs.

S. B. 526, an act to appropriate seventy-three thousand dollars for planning of a family medicine building at UNC-Chapel Hill.

S. B. 531, an act to appropriate funds to the Department of Human Resources for fiscal years 1977-1979 to be used to increase the Foster-Care Board rate.

S. B. 558, Committee Substitute for S. B. 558, an act relating to the charges or interest which may be charged with respect to open-end accounts.

S. B. 560, an act to appropriate funds for the preservation of buildings owned or leased by the Rockford Preservation Society, Inc., in the Town of Rockford, Surry County.

S. B. 563, Committee Substitute for S. B. 563, an act to re-create a State Farm Operations Commission within the Department of Agriculture.

S. B. 568, an act to amend G. S. 7A-273 relating to the power of magistrates in criminal actions relating to worthless checks.

S. J. R. 578, Committee Substitute for S. J. R. 578, a joint resolution directing the Legislative Research Commission to study the Revenue Laws of the State of North Carolina, and make recommendations for updating these laws.

S. B. 585, an act to clarify the term "interstate business" in G. S. 105-113.9.

S. B. 596, House Committee Substitute for S. B. 596, an act to exempt from inclusion in gross estate for inheritance tax purposes the first three thousand dollars of gifts made within three years of donor's death.

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S. B. 603, an act to amend G. S. 116-7(c) with reference to the filling of vacancies on the Board of Governors.

S. B. 608, an act to appropriate funds to renovate the Western Carolina Specialty Hospital at Black Mountain.

S. B. 624, an act to appropriate funds to implement the "sunset law for State agencies."

S. B. 630, an act to appropriate funds to the Department of Cultural Resources to create and maintain two exhibits of portraits of North Carolina Governors elected by the people, one to be based in the State Capitol, and one to be made available for circulation throughout the State for Educational purposes.

S. B. 637, an act to appropriate funds for the construction of a division of Forest Resources headquarters building in Alamance County.

S. B. 648, Committee Substitute for S. B. 648, an act to amend the Bicycle and Bikeway Act of 1974 to further provide for the promotion, administration, and regulation of bicycle and bikeway activities in North Carolina.

S. B. 651, Committee Substitute for S. B. 651, an act to provide for regulation of bicycles.

S. J. R. 652, a joint resolution directing the Legislative Research Commission to study the feasibility of establishing within North Carolina a bicycle registration or similar program to provide the citizens of the State with a deterrent to bicycle theft, a means for determining ownership of bicycles, and identification of injured bicyclists.

S. B. 656, an act to appropriate funds to the Department of Administration to aid in the City of Raleigh construction of a mall from the State Capitol to the proposed Raleigh Civic Center Plaza.

S. B. 660, an act to prohibit the unauthorized use of a motor-propelled conveyance.

S. B. 677, an act to appropriate funds for the rehabilitation of the Roanoke Canal Lock House in Roanoke Rapids.

S. B. 683, an act to provide payment for injuries sustained by pupils in school bus accidents.

S. B. 687, an act to amend G. S. 62-268 to provide that motor carriers may satisfy the financial responsibility requirements of the Utilities Commission through one or more insurers.

S. B. 689, an act to amend the provisions of Chapter 25A relating to preservation of consumers' claims and defenses.

S. B. 708, an act to exclude from inheritance taxation the amount of seventy thousand dollars paid as a result of a military family protection, or survivor benefit, plan.

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S. B. 716, an act to permit counties to recover indirect cost on health and mental health programs to the full extent permitted by law.

S. B. 728, Committee Substitute for S. B. 728, an act to amend the solicitation of Charitable Funds Act.

S. B. 729, an act to appropriate funds to the Department of Natural and Economic Resources to rebuild berms at Wrightsville Beach in New Hanover County.

S. B. 732, an act to provide for the construction of a State government office building in the city of Fayetteville.

S. B. 740, Committee Substitute for S. B. 740, an act directing the Legislative Research Commission to study the insurance laws.

S. B. 741, an act to amend the Dam Safety Law of 1967, G. S. 143-215.23 et seq. to remove the exemption of dams costing less than five thousand dollars and make certain technical corrections.

S. B. 751, an act to repeal Chapter 617 of the Session Laws of 1973 and to provide for the transfer of facilities of the National Driving Center, Inc., to the University of North Carolina.

S. B. 754, an act to create a commission to study the statewide system of State parks and to make recommendations for necessary legislation to the 1977-1978 Session of the General Assembly.

S. B. 760, Committee Substitute for S. B. 760, an act to amend Chapters 7A and 48 of the General Statutes relating to adoptions and termination of parental rights.

S. B. 772, an act to determine the value and practicality of providing incentive pay for State employees for gains in the economy and efficiency in the rendering of governmental services.

S. B. 775, an act to establish a Jobs for Veterans Committee within the Department of Administration, Division of Veterans Affairs, to assume the duties of the Governor's Jobs for Veterans Committee and to assist veterans in obtaining employment.

S. B. 779, an act to appropriate funds for the operation of the Legislative Research Commission's review procedure for administrative rules.

S. B. 785, an act to appropriate funds to the Department of Cultural Resources for the Continuance of the Stagville Preservation Center.

S. B. 786, an act to exempt auction sales conducted by or on behalf of civic clubs from the coverage of General Statutes Chapter 85B.

S. B. 799, an act to amend Chapter 433 of the 1977 Session Laws which allows certain counties to increase their license tax levy on motor vehicles by deleting Transylvania County therefrom.

July 1, 1977

S. B. 810, an act to appropriate funds to the Division of Prisons, Department of Correction, for the purpose of continuing a program of education for prisoners and for their rehabilitation.

S. B. 811, an act to change the membership of the Council on Developmental Disabilities so as to conform to federal law.

S. B. 817, an act to amend G. S. 160A-360 to provide for use of current population of municipalities in determining planning jurisdiction.

S. B. 819, an act to amend the General Statutes relating to fees charged for vital records services in order to recover the actual cost of the services.

S. B. 832, Committee Substitute for S. B. 832, an act providing for mandatory prison confinement for any person convicted of more than one felony.

S. B. 833, an act directing the Legislative Research Commission to study consumer products safety.

S. B. 835, an act to amend Article 8, Chapter 90 of the General Statutes relating to chiropractors to grant authority for the increase of fees.

S. B. 845, an act to amend G. S. 115-205.11 to provide for the allocation of kindergarten program funds to county and city boards of education based upon the average daily membership for the best continuous three out of the first four school months of pupils in the kindergarten program during the last school year in that respective school administrative unit.

S. J. R. 848, a joint resolution directing the Legislative Research Commission to complete the recodification of North Carolina's Public School Laws.

S. B. 850, an act to amend Chapter 44A of the General Statutes to require a notice of lis pendens be filed in each county in which the lien is filed, except the county in which the action enforcing the lien is commenced, within 180 days after the last furnishing of labor or materials at the site of the improvement by the person claiming the lien in order to be entitled to the priorities under the provisions of G. S. 44A-14(a).

S. J. R. 858, a joint resolution requesting Congress to propose an amendment to the Federal Constitution to require that the total of all federal appropriations not exceed the total of all estimated federal revenues in any fiscal year, with certain exceptions.

S. J. R. 860, a joint resolution creating a committee for the study of the laws relating to the conservation of wildlife resources in order to make recommendations to the General Assembly for revision and consolidation.

S. B. 862, an act to amend Article 17 of Chapter 106 of the General Statutes to provide aggregate state service credit for agriculture, poultry, fruit, vegetable, and grain graders.

S. B. 863, an act to prevent fraudulent and deceptive practices in the sale of business opportunities.

S. B. 865, an act to authorize a loan to the Battleship Commission in order to acquire the Blockade Runner Museum.

S. J. R. 879, a joint resolution establishing a Special Interim Joint Committee to study the Rules of the General Assembly.

S. B. 882, Committee Substitute for S. B. 882, an act to make the Lieutenant Governor the Chairman of the Joint Legislative Commission on Governmental Operations.

S. B. 886, an act to appropriate funds to the North Carolina Department of Labor to continue funding for OSHA consultant positions expiring on June 30, 1977.

S. B. 887, an act to appropriate funds to the Department of Labor for the purchase of technical equipment mandated to continue State administration of the Occupational Safety and Health Act.

S. J. R. 894, a joint resolution honoring the members of Chrysalis and the Raleigh Women's Club for their outstanding accomplishment in winning the National America-the-Beautiful-Foundation Award.

S. B. 897, an act to provide an additional tax exemption for persons having chronic irreversible renal disease.

S. B. 898, an act to transfer funds from the Highway Fund to the General Fund for the Gasoline and Oil Inspection Subprogram of the Department of Agriculture.

S. B. 902, an act to appropriate funds to the Department of Cultural Resources to improve and operate the State Capitol.

S. B. 903, an act to amend G. S. 143B-371 and G. S. 143B-137 concerning the policy of addressing problems through prevention.

S. B. 904, an act to appropriate funds to the Department of Agriculture for the surveillance of the swine disease known as pseudorabies.

S. B. 905, an act to amend G. S. 157-3(12) relative to the definition of housing project.

S. J. R. 907, a joint resolution directing the State Coordinating Council to study the cost of reducing infant mortality in North Carolina.

S. B. 910, an act authorizing the State Treasurer to establish a pool account for local governments to fund unemployment compensation liability.

S. B. 911, an act to amend the worthless checks statute.

S. B. 912, an act to delete the requirement that a licensed pilot who is otherwise qualified must serve a two-year apprenticeship before being licensed as an aerial pesticide applicator.

S. B. 917, an act to make technical amendments to Chapter 450 of the 1977 Session Laws.

July 1, 1977

H. B. 20, an act to appropriate funds to the Department of Cultural Resources to establish the Western North Carolina Heritage Center.

H. B. 50, an act to improve the status and effectiveness of magistrates in the North Carolina System of Justice, to establish a salary classification plan for magistrates and to make an appropriation therefor.

H. B. 127, Committee Substitute for **H. B. 127**, an act to revise and clarify certain provisions of the Machinery Act relating to the powers and duties of the tax supervisor, boards of equalization and review and boards of commissioners.

H. B. 128, Committee Substitute for **H. B. 128**, an act to amend and clarify the provisions of the Machinery Act.

H. B. 141, an act to amend Articles 9 and 27 of Chapter 105 of the General Statutes providing for releases, refunds and suits for recovery of taxes.

H. B. 155, Committee Substitute for **H. B. 155**, an act to amend G. S. 7A-133 to authorize additional magistrates in certain counties and to provide funds for authorized magistrates in other counties.

H. B. 159, an act to appropriate funds to the Department of Natural and Economic Resources for forest fire control purposes.

H. B. 182, an act to appropriate State funds for the restoration of the Marks House and its dependencies in Stanly County.

H. B. 184, a bill to appropriate funds to the Department of Human Resources for fiscal years 1977-1979, to be used for a communications system for the blind.

H. B. 186, an act to appropriate funds to employ chaplains in the Division of Youth Services, Department of Human Resources.

H. B. 187, an act to appropriate funds to employ chaplains in the Division of Prisons, Department of Correction.

H. B. 240, an act to amend G. S. 7A-16 to increase the number of judges of the Court of Appeals from nine judges to twelve judges.

H. B. 256, an act appropriating funds to the Department of Cultural Resources for the use of Old Salem in interpreting the history and culture of eighteenth century Piedmont North Carolina for school children and adult visitors.

H. B. 330, Committee Substitute for **H. B. 330**, an act to include voluntary ambulance personnel within the Law Enforcement Officers', Firemen's Rescue Squad Workers', and Civil Air Patrol Members' Death Benefits Act.

H. B. 335, Committee Substitute for **H. B. 335**, an act to repeal the three year statute of limitations on suits to recover real property sold for nonpayment of taxes.

H. B. 336, an act to appropriate funds to the Department of Cultural Resources to help establish a statewide revolving fund for historic preservation.

H. B. 339, an act to appropriate funds to the Department of Natural and Economic Resources for the improvement of oysters and clams in public waters.

H. B. 350, an act to appropriate funds to the Asheville Health Education Museum, a nonprofit corporation.

H. B. 354, an act to appropriate funds for the Schiele Museum of Natural History and Planetarium, Inc., in Gastonia.

H. B. 369, an act to amend Chapter 1007 of the 1971 Session Laws to provide two additional TEACCH Centers in Charlotte and Wilmington.

H. B. 392, an act to require special tests for persons wishing to be licensed to operate a motorcycle.

H. B. 394, an act to amend the Firemen's Pension Fund.

H. B. 412, an act to appropriate funds to Wilkes Community College to study a proposal to construct on campus a building to house the James Larkin Pearson Collection.

H. B. 423, Committee Substitute for H. B. 423, an act to rewrite G. S. 14-399 relating to the crime of littering.

H. B. 437, an act to extend the provisions of Chapter 360 of the 1975 Session Laws relating to special probation.

H. B. 439, an act to establish a Consumer and Advocacy Advisory Committee for the blind.

H. B. 441, an act to appropriate funds for the Avery County Museum.

H. B. 482, an act to provide benefits to uniformed weight station personnel now available to State highway patrolmen and to inspectors of the License and Theft Section.

H. B. 502, an act to appropriate funds to the Administrative Office of the Courts and the Department of Human Resources for use in guardianship proceedings.

H. B. 503, an act to appropriate funds to the Department of Cultural Resources for the New Bern Academy Historical Commission to plan and restore the New Bern Academy, New Bern.

H. J. R. 512, Committee Substitute for H. J. R. 512, a joint resolution to provide for a study of faculty work load and tenure in the University of North Carolina.

H. B. 522, Committee Substitute for H. B. 522, an act to create a commission to study and evaluate Article 33B, The Meetings of Governmental Bodies, (G. S. 143-318).

July 1, 1977

H. B. 532, an act to appropriate funds to the Department of Human Resources for fiscal years 1977-1979 to establish and fund the Division for Aging.

H. J. R. 533, a joint resolution directing the Legislative Research Commission to study the problems and needs of the aging population in North Carolina and to make recommendations to the General Assembly.

H. B. 545, an act to appropriate funds for completion of the restoration of Fort Defiance and its dependencies in Caldwell County.

H. B. 553, an act to appropriate funds for the preservation of "Richmond Hill Law School" in Yadkin County.

H. B. 565, an act to appropriate funds to the North Carolina Alcoholism Research Authority to provide for scientific research.

H. B. 569, an act to appropriate funds for Mitchell Community College.

H. B. 571, an act to amend G. S. 105-147 of the General Statutes relating to contributions to the Civil Air Patrol.

H. B. 584, an act to appropriate funds for the construction of a Forestry Service Headquarters Building in Wilkes County.

H. B. 598, an act to appropriate funds to the Department of Natural and Economic Resources for a Forest Services District Headquarters Building for northwestern North Carolina.

H. B. 607, an act to classify solar energy systems for ad valorem tax purposes.

H. B. 618, an act to appropriate funds to the Department of Natural and Economic Resources for forest fire control purposes.

H. B. 625, Committee Substitute for **H. B. 625,** an act to establish the North Carolina Internship Council of the Department of Administration.

H. B. 630, an act to create the Legislative Commission on Medical Cost Containment.

H. B. 633, Committee Substitute for **H. B. 633,** an act to amend G. S. 7A-69 to authorize investigatorial assistants in certain judicial districts.

H. B. 643, an act to appropriate funds for Mountain Gateway Museum.

H. B. 653, an act to amend the Controlled Substances Act to schedule controlled substances previously scheduled by regulation and to make technical corrections in the Act.

H. B. 654, an act to appropriate funds to North Carolina State University for development and research on a solar thermal conversion unit which will produce a minimum of 1,000 KWH of electricity per month, and be reliable and relatively free of maintenance.

H. B. 674, an act to create the Joint Commission on the Study of the Public School Salary Index Schedule.

H. B. 678, an act to amend the General Statutes to allow credit for prior service with State Government before 1941 for members of the North Carolina Local Governmental Employees' Retirement System.

H. B. 696, an act to appropriate matching funds to assist in the restoration and preservation of Stonewall in Nash County.

H. J. R. 702, a joint resolution directing the Legislative Research Commission to study possible North Carolina adoption of the Model Land Development Code proposed by the American Law Institute, and to report to the 1979 General Assembly.

H. B. 728, an act to amend the Workmen's Compensation Act regarding compensation for disfigurement and loss of important organs or parts of the body.

H. B. 740, an act to reduce the maximum workmen's compensation payable for the death of a minor without dependents.

H. B. 742, an act to appropriate funds to the Department of Cultural Resources for Historic Wilmington Foundation, Inc., to plan for and restore the De Rosset House, Wilmington.

H. B. 746, Committee Substitute for **H. B. 746**, an act to eliminate discrimination in the treatment of handicapped and disabled persons.

H. B. 756, an act to appropriate for the restoration of the William King House in Bertie County.

H. B. 764, an act appropriating funds to the Department of Natural and Economic Resources for the purchase and operation of a forest fire control plowing unit for Vance, Granville and Person Counties.

H. B. 766, an act to appropriate funds for the preservation and restoration of the Franklin House in Surry County.

H. B. 768, an act to appropriate funds for Historic Edenton, Inc.

H. B. 775, Committee Substitute for **H. B. 775**, an act to amend Article 5A of Chapter 122 of the General Statutes to provide legal representation for the interests of the petitioner in involuntary commitment proceedings by a part-time private attorney appointed by the senior resident superior court judge.

H. B. 780, an act to appropriate funds to the Department of Human Resources to supplement the Preventive Dental Health Program and supportive services and also to appropriate funds to the Department of Human Resources, Division of Health Services.

H. B. 792, an act to authorize the State Board of Alcoholic Control to increase the permit for issuing a retail license fee from twenty-five dollars

to fifty dollars, and to increase the price of the wholesale permit from twenty-five dollars to one hundred dollars.

H. B. 793, an act to appropriate funds to assist the restoration of Harmony Hall in the City of Kinston.

H. B. 795, Committee Substitute for H. B. 795, an act to amend G. S. 14-71 and G. S. 14-72 to make possession of stolen goods unlawful.

H. B. 806, an act to create a study commission to determine the best method for state, counties and cities to furnish liability insurance coverage for law enforcement officers.

H. B. 812, an act to appropriate funds for the Tar Heel Junior Historian Association.

H. B. 824, Committee Substitute for H. B. 824, an act to provide for a system of educational opportunities for all children requiring special education.

H. B. 842, an act authorizing state-supported institutions of higher education, community colleges, industrial education centers and technical institutes to permit North Carolina residents at least sixty-five years of age to attend classes without payment of tuition.

H. B. 854, an act to appropriate funds to the Department of Human Resources for Special Olympics.

H. B. 857, Committee Substitute for H. B. 857, an act to appropriate funds for the construction and/or operation of certain farmers' markets.

H. B. 858, Committee Substitute for H. B. 858, an act to permit sales and use tax refunds on medicines and drugs purchased by certain hospitals.

H. B. 861, a bill to appropriate funds to assist the Martin County Historical Society, Inc., in the purchase of the Asa Biggs birthplace.

H. B. 867, an act to appropriate funds to improve navigation in Broad Creek in Beaufort County.

H. B. 877, an act to increase representation on the Apprenticeship Council.

H. B. 880, Committee Substitute for H. B. 880, an act to amend G. S. 95-105 to provide a $10 fee for the periodic inspection of elevators.

H. B. 905, an act to provide for use of depositions.

H. B. 908, an act to appropriate funds for navigation projects.

H. B. 918, Committee Substitute for H. B. 918, an act to amend Chapter 1418 of the 1973 Session Laws relating to the financing of public assistance.

H. B. 928, Committee Substitute for H. B. 928, an act to amend G. S. 54-33.3 to allow fewer than ten State chartered savings and loan associations to invest in service corporations and to allow the administrator to approve permitted data processing activities of such service corporations.

H. B. 939, an act to appropriate funds to the Department of Human Resources to be used to increase the rate of incentive pay for delinquent juveniles committed to the custody of the Division of Youth Services who participate in the incentive work program of the Division of Youth Services.

H. B. 947, an act to appropriate funds to the Department of Cultural Resources for the purpose of development of North Carolina's nonprofit professional theatres.

H. B. 956, Committee Substitute for **H. B. 956,** an act to make certain technical amendments to the State Personnel Act.

H. B. 961, Committee Substitute for **H. B. 961,** an act to regulate the number of adult establishments in any one building.

H. B. 967, an act to reimburse Vance County and the City of Henderson for extraordinary expenses arising out of the Sandra Dupree murder trial.

H. B. 978, an act to appropriate funds to provide for publication of the Catherine Ann Devereux Edmonston Diary.

H. B. 985, an act to increase the membership of the Textbook Commission.

H. B. 988, an act to authorize the State Board of Education from available funds to the Board to provide research and clerical staff to the Council on Educational Services for Exceptional Children and travel reimbursement.

H. B. 992, Committee Substitute for **H. B. 992,** an act to establish a State Fire Commission.

H. B. 996, an act to amend G. S. 108-24(3) to include within the definition of "dependent child" persons under 21 years of age as provided by Titles IV-A and XIX of the Social Security Act.

H. B. 1001, an act to amend G. S. 138-6(a)(3) concerning travel allowances for State officers and employees.

H. B. 1002, Committee Substitute No. 2 for **H. B. 1002,** an act to outlaw carrying weapons into assemblies and establishments where intoxicating liquors are sold and consumed.

H. B. 1004, an act to appropriate additional funds to the Library Resources Program.

H. B. 1012, an act amending G. S. 115A-5 to include patients in State Alcoholic Rehabilitation Centers within the waiver proviso of the said statute.

H. B. 1015, Committee Substitute for **H. B. 1015,** an act to create a Nursing Home and Home for the Aged and Infirm Patients' Bill of Rights.

H. B. 1017, an act to establish a State Council for the Hearing Impaired and community services to the hearing impaired.

H. B. 1023, Committee Substitute for **H. B. 1023**, an act to provide that money shall not be included when computing the bond of a guardian if it is deposited in an insured account and it may not be withdrawn without a court order.

H. B. 1029, an act to appropriate funds to the Granville County Historical Society for its historical site.

H. B. 1036, an act to provide a one thousand dollar exemption from income tax for individuals who are deaf.

H. B. 1041, an act to appropriate funds for the construction and operation of a Pine Mouse Research Laboratory at Mountain Horticultural Crops Research Station, Fletcher, North Carolina.

H. B. 1048, Committee Substitute for **H. B. 1048**, an act to waive apprenticeship for cosmetology applicants with 1500 hours of cosmetology education.

H. B. 1052, an act to allow deductions for individual income tax purposes for contributions made by an individual for the benefit of himself and his spouse to individual retirement accounts, individual retirement annuities, or individual retirement bonds which are deductible for federal income tax purposes, and to exempt from inheritance tax distributions from such retirement plans which are excluded from the decedent's gross estate for federal estate tax purposes, and to make other technical amendments to Chapter 105.

H. B. 1058, an act to appropriate funds for the construction of a Forestry Service Headquarters Building in Macon County.

H. B. 1059, an act appropriating funds to the North Carolina Department of Agriculture for expansion of the Animal Disease Diagnostic Laboratory in Union County, and appropriating further funds for the operation thereof.

H. B. 1064, an act to appropriate funds for the restoration of Blandwood in Greensboro, North Carolina.

H. B. 1068, an act to permit the Council of State to allocate funds from the Contingency and Emergency Fund to tax-exempt outdoor historical dramas.

H. B. 1069, an act to establish a State coordinator of services for victims of sexual assault.

H. B. 1074, Committee Substitute for **H. B. 1074**, an act to amend G. S. 7A-284 to authorize district court judges to issue oral immediate custody orders in certain child abuse cases.

H. B. 1078, an act to appropriate funds to the Department of Natural and Economic Resources for implementation of the Forest Development Act.

H. B. 1093, an act to permit religious institutions to allow their parking lots to be used by the public without reducing their property tax exemption.

H. B. 1095, Committee Substitute for **H. B. 1095**, an act to increase driver license points for speed violations in school zone.

H. B. 1100, an act to appropriate funds for the preservation of the Jacob W. Holt House in Warrenton, Warren County.

H. B. 1113, Committee Substitute for **H. B. 1113**, an act to amend **H. B. 1113** dated May 6, 1977, to provide increased support of library/media personnel in the public schools through an allocation of funds.

H. B. 1118, an act to appropriate additional funds for the Chronic Renal Disease Control Program.

H. B. 1127, an act to make a special appropriation for the needs of Fort Macon State Park.

H. B. 1138, an act to appropriate funds for Malcolm Blue Historical Society.

H. B. 1151, Committee Substitute for **H. B. 1151**, an act to promote the acquisition by the State of buildings and space in buildings having historic, architectural or cultural significance.

H. B. 1152, an act to impose the one percent, eighty dollar maximum sales and use tax rate upon certain sales of mill machinery to contractors.

H. B. 1154, Committee Substitute for **H. B. 1154**, an act to improve the administration of the Food Stamp Program in North Carolina.

H. B. 1156, an act to amend G. S. 20-218 pertaining to school activity bus speed limits.

H. B. 1163, an act to appropriate funds for the Charlotte Opera Association.

H. B. 1171, an act to amend Chapter 122A of the General Statutes to authorize the North Carolina Housing Finance Agency to guarantee loans for the purpose of assisting persons and families of lower income to lower heating costs in owner occupied residences, thus reducing consumption on nonrenewable sources of energy; and to appropriate necessary funds for this purpose.

H. B. 1189, an act to provide for the development and promotion of Historic Edenton and other historic sites in northeastern North Carolina.

H. B. 1209, an act to make the Tri-County Technical Institute a comprehensive community college.

H. B. 1216, Committee Substitute for **H. B. 1216**, an act to enable registered and licensed practical nurses to carry out the orders of physicians' assistants under certain conditions.

H. B. 1233, an act authorizing the North Carolina Department of Agriculture to regulate the processing and marketing of pen-raised quail.

H. B. 1237, an act to establish the North Carolina State Indian Housing Authority.

H. B. 1238, an act to amend the General Statutes of North Carolina to provide for repayment of the participating institutions' proportionate share upon repurchase of his contract by a member in the Universities' Optional Retirement Plan.

H. B. 1243, an act to appropriate funds to provide services to local and State historical organizations and to establish a revolving fund for the publication of local historical writings.

H. B. 1251, an act to appropriate funds for the North Carolina Museum of Life and Science.

H. B. 1269, an act to appropriate funds for a comprehensive historic sites survey in Fayetteville and Cumberland County.

H. J. R. 1274, Committee Substitute for **H. J. R. 1274**, a joint resolution directing the Legislative Research Commission to study the feasibility of establishing horse racing in North Carolina.

H. B. 1276, an act to amend G. S. 58-40.2 to include insurers and licensed agents within coverage of insurance brokers bond.

H. B. 1279, an act to authorize the Department of Human Resources to extend coverage under the Crippled Children's Program to persons with cystic fibrosis who are twenty-one years of age or older and to appropriate funds therefor.

H. B. 1281, an act to make technical amendments to existing provisions of G. S. 105-277(f) and to G. S. 160A-399.4-5, relating to the taxation and designation of historic properties.

H. J. R. 1283, Committee Substitute for **H. J. R. 1283**, a joint resolution directing the Legislative Research Commission to study Chapter 24 of the General Statutes and related credit and interest laws, and to determine the feasibility of establishing one supervisory authority over all lenders in North Carolina.

H. B. 1289, Committee Substitute for **H. B. 1289**, an act to restructure the Wildlife Resources Commission and to make other necessary changes.

H. J. R. 1291, Committee Substitute for **H. J. R. 1291**, a joint resolution to provide for a study of the formulas and funding procedures whereby the State Board of Education allocates funds to local administrative units.

H. B. 1299, an act to increase the fee paid for commercial fishing licenses by non-residents to two hundred dollars.

H. B. 1300, an act revising benefits of the Law Enforcement Officers' Benefit and Retirement Fund.

H. B. 1301, an act to appropriate twenty-five thousand dollars to the Department of Human Resources for allocation to the Morton Pritchard Alcoholic Rehabilitation Farm in Johnston County.

H. B. 1303, an act to authorize the transfer of funds to the Department of Cultural Resources for the purpose of development and operation of the Historic Seaboard Coastline Building as a Railroad Museum.

H. B. 1306, Committee Substitute for **H. B. 1306**, an act validating certain deeds executed by counties before January 1, 1977.

H. B. 1307, an act relating to learned treatises and the hearsay rule.

H. B. 1312, an act to appropriate funds to Keep North Carolina Beautiful, Inc.

H. B. 1313, Committee Substitute for **H. B. 1313**, an act to require the rendering inoperable of syringes before discarding.

H. B. 1318, an act to clarify the three hundred dollar exemption for individually owner personal property.

H. B. 1325, an act to eliminate imprisonment as punishment for a first offense of misdemeanor possession of a Schedule VI controlled substance.

H. B. 1329, an act to provide workmen's compensation coverage and other benefits for persons serving as volunteer A.B.C. officers.

H. B. 1347, an act to amend day care laws to provide that fence requirements will not be applicable to facilities operated in public school buildings.

H. B. 1350, an act to make the Child Day-Care Licensing Commission subject to the Administrative Procedure Act, to clarify State authority over licensed day-care centers.

H. B. 1357, an act to amend G. S. 135 to permit vested members to purchase credit for specific period of absence from State employment for educational advancement when leave of absence for said purpose was not available to member.

H. J. R. 1360, a joint resolution directing the Legislative Research Commission to study housing and building codes in North Carolina to determine whether these codes have the effect of restricting home ownership.

H. B. 1373, an act to require any counsel of record in a criminal case who has made a general entry in the case to continue to serve until released by the court.

H. J. R. 1377, a joint resolution directing the Legislative Research Commission to study the duties of the Lieutenant Governor.

H. J. R. 1381, a joint resolution creating a committee for the study of the collection of property taxes on motor vehicles.

H. J. R. 1385, a joint resolution directing the Legislative Research Commission to study the problem of price instability in the commercial fishing industry and to report to the next appropriate session of the General Assembly.

H. B. 1387, an act to appropriate funds to the Department of Cultural Resources for the acquisition, planning, and stabilization of the Historic Southern Railway Spencer Shops.

H. B. 1394, an act to amend G. S. 8-53 to allow a deceased's next of kin, when the estate is unadministered, to authorize the release of confidential information contained in deceased's medical records.

H. B. 1399, an act to amend the Rules of Civil Procedure relating to service by publication in cases of attachment.

H. B. 1404, an act to amend the Felony Firearms Act to include drug violaters, add weapons of mass death and destruction to the ones felons are prohibited to possess, make the Act again applicable to out-of-state felony-level offenses.

H. B. 1408, an act to clarify the elements of the crime of safecracking, make it apply when the safe or vault is unlawfully opened without the use of force, and extend the crime to cover haulaways.

H. J. R. 1409, a joint resolution to provide for a study by the Legislative Research Commission concerning the financing of water resources development projects.

H. B. 1412, an act to amend G. S. 105-275(10) and (11) to clarify the classification of personal property stored in public warehouses for ad valorem tax purposes.

H. J. R. 1414, a joint resolution directing the Legislative Research Commission to study the role of the physician's assistant and nurse practitioner in the delivery of medical services.

H. B. 1422, an act to appropriate funds to the Board of Governors for a summer pilot reading clinic.

H. B. 1426, Committee Substitute for H. B. 1426, an act to provide that money shall not be included when computing the bond of a personal representative or testamentary trustee if it is deposited in an insured account and it may not be withdrawn without a court order.

H. B. 1432, an act to amend Chapter 18A of the General Statutes to authorize an establishment with an "on premise" wine permit to continue selling "on premise" wine no more than 30 days in the event the sanitation grade is reduced to Grade B.

H. B. 1435, an act to make Veterans Day a holiday for school children.

H. B. 1452, an act to appropriate four thousand dollars in each fiscal year of the 1977-79 biennium for the travel, subsistence, and per diem expenses of the North Carolina Code Officials Qualification Board.

H. B. 1454, an act to appropriate funds to begin the preparation of a Biographical Directory of the General Assembly of North Carolina from 1665 to the present, and to collect and mount pictures of officers of the General Assembly and of recent members of the General Assembly in the Legislative Building.

H. B. 1491, an act to repeal G. S. 45-40 concerning the entry of satisfaction on the real property indexes in counties using computerized indexing.

H. B. 1493, an act to amend provisions of Chapter 160A of the General Statutes to eliminate inconsistencies, clarify provisions, and improve administrative procedures.

H. B. 1500, an act to appropriate funds to the Department of Human Resources for the third party liability collection operation.

H. B. 1505, an act to increase the motor vehicle registration fee for support of driver education programs from two dollars to three dollars.

H. B. 1511, an act to change Utilities Commission hearing transcript fees from thirty cents per page to one dollar per page.

H. B. 1514, an act to appropriate funds to the Charlotte Symphony Orchestra, Inc.

H. B. 1518, an act to appropriate funds to the Department of Agriculture for an expanded Fire Ant Program.

H. B. 1521, an act creating a Regional Councils of Governments Study Commission.

H. B. 1522, an act to appropriate funds to the Department of Natural and Economic Resources for soil mapping matching grants.

H. J. R. 1523, a joint resolution urging Congress to enact enabling legislation looking toward the planning and financing of a White House Conference on Aging in 1980 or 1981.

H. B. 1524, an act to appropriate funds to the Department of Insurance to avoid a work overload.

H. B. 1531, an act to establish an eight hour work day for supervisors of elections.

H. B. 1532, an act to amend Chapter 468 of the Session Laws of 1977.

H. B. 1534, an act to amend Chapter 917 of the 1977 Session Laws so as to conform to applicable federal laws.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

HOUSE OF REPRESENTATIVES
July 1, 1977

Mr. President:

You are respectfully advised that the business of the House of Representatives has been concluded and the Body is ready to open the doors of the House for adjournment in accordance with S. J. R. 915, a joint resolution providing for adjournment of the 1977 General Assembly on July 1, 1977, at 6:00 P.M., to reconvene for a second session in 1978 for review of the budget for fiscal year 1978-79 and for consideration of certain other bills.

Respectfully,
GRACE A. COLLINS
Principal Clerk

Pursuant to the information submitted above, the Senate having completed the business before it, a message is ordered sent to the House of Representatives informing that Honorable Body that in accordance with S. J. R. 915, a joint resolution providing for adjournment of the 1977 General Assembly on July 1, 1977, at 6:00 P.M., to reconvene for a second session in 1978 for review of the budget for fiscal year 1978-1979 and for consideration of certain other bills, the Senate stands ready for adjournment until Wednesday, May 31, 1978 at 12:00 Noon.

RESIGNATION OF MEMBER

The President orders the Reading Clerk to read the following letter:

June 25, 1977

The Honorable James Green
President of the Senate
North Carolina General Assembly
Raleigh, North Carolina 27611

Dear Mr. President:

I often experience difficulty when considering emotional matters. Such is the case today as I search for words to express my appreciation for the cooperation you have given me during my service in the General Assembly and at the same time notify you of the effective date of my resignation as State Senator serving the 14th Senatorial District.

Public service is no easy task but highly rewarding when tangible accomplishments can be identified. I am deeply grateful to the voters of the District for giving me the opportunity to serve in this high position of esteem.

I shall never forget the rewarding experience and hope my service has proven beneficial to the people of our State.

I hereby submit my resignation as State Senator serving the 14th Senatorial District of Wake, Harnett and Lee Counties, effective July 1, 1977.

Wishing you the best, I remain

Sincerely yours,
S/ JOHN W. WINTERS
Senator

Courtesies of the floor are extended to the Honorable James B. Hunt, Jr., Governor of the State of North Carolina, for the purpose of commissioning the Honorable John W. Winters to the North Carolina Utilities Commission and to the Honorable S. Gerald Arnold, Associate Judge of the North Carolina Court of Appeals, for the purpose of administering the prescribed oath of office.

APPOINTMENT OF COMMITTEE CHAIRMAN

The President appoints Senator Jerry Popkin Chairman of the Alcoholic Beverage Control Committee to fill the vacancy created by the resignation of Senator John Winters.

The hour for adjournment fixed by joint resolution passed by the two Houses having arrived, the President of the Senate declares the Senate stands adjourned until Wednesday, May 31, 1978 at 12:00 Noon.

JAMES C. GREEN
President of the Senate

SYLVIA FINK
Principal Clerk of the Senate

APPENDIX

SENATE RESOLUTIONS

FIRST SESSION 1977

March 4, 1977

S. R. 181, A SENATE RESOLUTION DIRECTING THE SENATE COMMITTEE ON HUMAN RESOURCES TO STUDY THE PROBLEMS AND NEEDS OF THE AGING POPULATION AND TO MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY. IN ADDITION TO SUCH LEGISLATIVE PROPOSALS THAT MAY BE REFERRED TO IT BY THE PRESIDENT OF THE SENATE, AND PRESIDENT PRO TEM, THE COMMITTEE SHALL SCRUTINIZE ALL LEGISLATIVE PROPOSALS WHICH MAY AFFECT THE ELDERLY, AND SHALL ON ITS OWN INITIATIVE MAKE APPROPRIATE APPEARANCES AND REPRESENTATION TO OTHER COMMITTEES.

WHEREAS, advances in science in recent years have brought about significant changes in our patterns of living, leading to a fragmentation of our social structures and changes in traditional family roles, creating serious economic, social and psychological problems for the aging members of our population; and

WHEREAS, the aging population in North Carolina presently constitutes over fourteen percent (14%) of the total population and is increasing much more rapidly than the State's population as a whole; and

WHEREAS, continued cost of inflation, taxation, medical care and inadequate institutional care facilities, insufficient pension income, forced early retirement, and lack of public awareness have compounded the problems of the elderly; and

WHEREAS, because our older citizens have contributed magnificently to the progress and general well-being of our State and nation; and

WHEREAS, it is our concern and desire that their retirement years be a time of continued contribution to the economy and life styles in North Carolina in personal fulfillment rather than frustration;

Now, therefore, be it resolved by the Senate:

Section 1. The Senate Committee on Human Resources is directed to make a thorough study of the entire range of potentials and problems and needs of older adults of this State and to make specific recommendations to the Governor and the General Assembly on how these concerns can be satisfactorily solved and met by legislative action which is deemed necessary and appropriate. In its deliberations, the committee shall examine national trends and programs in other states as well as programs and priorities in North Carolina. For purposes of this study, "older adult" is defined as every citizen who is 60 years of age or older.

Sec. 2. The Senate Committee on Human Resources shall, in particular, undertake to study the following additional topics relating to the aging:

(a) the type of commission or agency that can most benefit the elderly of North Carolina;

(b) a discussion of long-range planning needs for the elderly in North Carolina;

(c) the development of plans whereby retired persons can effectively participate in community service and employment opportunities;

(d) the development of plans whereby disabled elderly persons will receive appropriate assistance regarding housing, medical, recreation, and other needs;

(e) preparations for conferences and continuing study including meetings in North Carolina and The White House Conference of 1981 as now scheduled and other conferences relating to the elderly;

(f) a study and review of the competency and the efficiency of nursing home services to the elderly and the adequacy of licensing of such institutions.

Sec. 3. All appropriate agencies of government and particularly the North Carolina Division of the Aging within the Department of Human Resources are urged to assist the committee with such information and assistance as the committee may request.

Sec. 4. Attention should be given to the possibility of developing plans to give impetus to the in-migration of retirees into North Carolina who are taking advantage of our highly desirable and moderate climate for their retirement years, thus providing this State with the equivalent of a new industry.

Sec. 5. The committee is requested to make interim recommendations to the President of the Senate, to the Senate, and to the Governor and other appropriate officials during the 1977 Session and to initiate needed bills and resolutions for consideration by the General Assembly including the possible needs for a special commission in the interim prior to the 1979 General Assembly.

Sec. 6. This resolution shall become effective upon its adoption.

April 28, 1977

S. R. 592, A SENATE RESOLUTION HONORING LAW DAY U.S.A. AND REDEDICATING NORTH CAROLINA TO THE PRINCIPLES OF THE DEMOCRATIC FORM OF GOVERNMENT, TO EMPHASIZE THAT OURS IS A GOVERNMENT OF LAW AND NOT OF MEN.

WHEREAS, our courts of law, representative of the vast judicial system of our State and Nation, are one of the cornerstones of our government and

have been a bulwark in recognizing the importance of every person and protecting individual rights and maintaining a free society; and

WHEREAS, it is fitting and proper that on the occasion of the 20th annual nationwide observance of Law Day U.S.A. on May 1, the General Assembly of North Carolina should reflect on our great heritage: a system of government under laws devised by representatives of the people and administered by independent courts; and

WHEREAS, the citizens of North Carolina should become more aware of certain needs and problems and of their role in support of our system of government and should be mindful of the great new demands being placed upon the system because of growth in government and litigants, and should champion legislative efforts to improve and modernize our courts which need and deserve the support and good will of every American;

Now, therefore, be it resolved by the Senate:

Section 1. That Sunday, May 1, 1977, be proclaimed as Law Day U.S.A. in North Carolina, and that the people, organizations, churches, schools and the media of public information are encouraged to observe Law Day U.S.A. with appropriate ceremony and recognition and to reaffirm their faith in our system of government.

Sec. 2. This resolution shall become effective upon its adoption.

May 5, 1977

S. R. 627, A SENATE RESOLUTION TO ALLOW SMOKING ON THE FLOOR OF THE SENATE BY DELETING THE PROVISION OF THE SENATE RULES THAT PROHIBITS SMOKING DURING THE FIRST HOUR OF THE SESSION.

Be it resolved by the Senate:

Section 1. Subsection (e) of Senate Rule 17, as set out by 1977 Adopted Senate Simple Resolution 169, is amended by deleting the second sentence of the subsection.

Sec. 2. This resolution shall become effective upon adoption.

May 6, 1977

S. R. 641, A SENATE RESOLUTION DIRECTING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY LEGISLATIVE POLICY FOR PROVIDING ASSISTANCE TO UNDERGRADUATE NORTH CAROLINIANS ATTENDING PRIVATE COLLEGES AND UNIVERSITIES AS DEFINED BY G. S. 116-22.

The General Assembly of North Carolina enacts:

Section 1. The Legislative Research Commission, as structured by G. S. 120-30.10 et seq., is directed to study legislative policy for providing assistance to undergraduate North Carolinians attending private colleges and universities in North Carolina.

Sec. 2. The commission shall:

(1) review the effectiveness of the current aid programs for North Carolina undergraduates attending private colleges and universities as defined by G. S. 116-22;

(2) investigate the concept of an operating principle by which appropriations will be made to assist North Carolina undergraduates attending accredited nonprofit colleges and universities;

(3) produce a full report on its study, including recommendations for appropriate action by the 1979 General Assembly.

Sec. 3. This resolution shall become effective upon adoption.

June 3, 1977

S. R. 813, A SENATE RESOLUTION DIRECTING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY REVISION AND RECODIFICATION OF CHAPTER 115A OF THE GENERAL STATUTES, ENTITLED "COMMUNITY COLLEGES, TECHNICAL INSTITUTES, AND INDUSTRIAL EDUCATION CENTERS".

WHEREAS, Article IX, Section 8, of the State Constitution provides that the General Assembly shall maintain a public system of higher education and may enact laws necessary and expedient for the maintenance and management of the public institutions of higher education; and

WHEREAS, the General Statutes relating to the Community College System were enacted in 1963 and numerous changes and rapid expansion have occurred since the system's establishment; and

WHEREAS, the institutions in the Community College System are enlarging and broadening their curricula continually and the system no longer includes industrial education centers; and

WHEREAS, post secondary education in North Carolina encompasses not only the system of 57 two-year colleges and institutes, but The University of North Carolina with its 16 constituent institutions and 38 private colleges and universities as well; and

WHEREAS, the General Assembly appropriates public funds to support these institutions and students enrolled in all three sectors and enacts policies and initiates programs from time to time on a piecemeal basis without a thorough study of the effect such acts may have on programs and operations in other post-secondary education institutions;

Now, therefore, be it resolved by the Senate:

Section 1. The Legislative Research Commission, as structured by G. S. 120-30.10, et seq., is directed to study revision and recodification of Chapter 115A of the General Statutes in a manner which will best serve the education and training needs of, and provide the most economical and effective delivery of services to, all of the people of North Carolina.

Sec. 2. The commission shall complete its study in time to present appropriate recommended legislation on the convening date of the 1979 General Assembly.

Sec. 3. This resolution shall become effective upon adoption.

January 17, 1977

STATE-OF-THE-STATE ADDRESS BY THE HONORABLE JAMES B. HUNT, JR., GOVERNOR OF THE STATE OF NORTH CAROLINA.

We stand today on the threshhold of a new beginning in North Carolina. We have before us the opportunity to make fundamental changes in the future of our state, the opportunity to make North Carolina a national leader, recognized once again as a dynamic and progressive state devoted to the betterment of its people.

So let us keep in mind who we are and what we are about. We in North Carolina believe deeply in hard work. We believe in a fair return for that work. We are careful with our money; we save and we plan. We believe deeply in education; we know it is the door to a better future. We believe in wise economic progress. At the same time, we believe in preserving the rich earth and the clear water and the clean air that have blessed us.

What we believe in is people, their future, and their prmoise. We believe that government exists to help promote their future and realize their promise. I say here tonight to the people of North Carolina that we in this chamber, the people you have elected to serve in your government, are conscious of the charge you have given us.

But how are we to discharge that responsibility?

I believe that we need a new partnership between the legislature, the governor and the people of North Carolina. We need a recognition that the job before us is too big for the governor alone, too big for the Lieutenant Governor, the Speaker and the Council of State alone, too big for the General Assembly alone. But it's not too big if we work as partners, if we work with the 5½ million people of North Carolina, with their local governments, in their neighborhoods and communities. Together, we can do it.

We must begin this year by recognizing economic reality: Our citizens are hard-pressed already by inflation and taxes. I am opposed to any tax increases. So we must guarantee that government is lean and efficient. I will come back before you later in this session with proposals aimed at reducing the cost of government, including reductions in personnel, and with some essential supplementary requests. I have already instructed my department secretaries to take a hard look at their operations and to propose measures to provide for us the best possible services at the least possible cost.

And we can call on the people of this state to contribute to our progress by doing something other than just paying more taxes; we can make sure

they have the opportunities to contribute their time and energy and imagination to our new beginning.

It's estimated that, each year, the people of North Carolina contribute, free of any charge, $2 billion worth of services to each other — in education, in health care, in child care, in work with the handicapped and the mentally retarded, in care for the aged. Now, suppose we doubled that contribution, to $4 billion. That's an amount even greater than the state budget. And it won't cost us a cent in new taxes.

I believe we can do it. I am setting that as a goal for my administration. I ask you to invest $150,000 as seed money toward doubling that citizen contribution. I am proposing the creation of a Governor's Office of Citizen Affairs to do the job.

The goal of the office is simple: to help our people help themselves. It will promote the involvement of citizens where it counts most, in their neighborhoods and communities, where they can see and feel a difference, by their own action, in helping teach children to read, in preventing crime, in conserving energy. That's where the changes have to come.

I believe the Governor's Office of Citizen Affairs can make North Carolina a leader among all the states in giving its people a chance to act. I enthusiastically commend it to your attention.

We must also take steps to guarantee our people the effective executive leadership they deserve. We have a strong General Assembly. I believe we must equip the office of governor with the tools that will help us to have a strong governor.

The people of North Carolina should have the opportunity to decide whether they want their governor to have those tools. The people should be able to decide whether our governor should remain the only one in the country without the veto power. The people should be able to decide whether they want the opportunity to elect to a second successive term a governor who has proven himself responsible and effective.

I ask the members of the General Assembly to consider the arguments that will be forthcoming on whether the people deserve a chance to decide these issues. I believe they do deserve that chance, and I believe you will come to argue with me that they do.

We must look to areas where government should help our people do what they can't do by themselves. And nothing could be more important than economic progress, helping people find a good job and earn a decent living and save for a better future.

You hear a lot of claims about the economic progress we have made. But some unchallengeable facts remain: Our industrial workers make over $2,000 a year less than the national average. The per capita income in North Carolina ranks 43rd among the 50 states. Unemployment is far too high among our young people, particularly among blacks and Indians.

Our narrowly based economy sometimes catches pneumonia when our national economy catches cold.

North Carolina must have an "open-door policy" to good industry. We must aggressively seek out the best jobs we can find. We must find the good prospects and sell them on why they should come to North Carolina. And we must use the full resources of state government to make sure that they are welcome throughout this state.

If we are to be competitive, we must reorganize the structure of state government involved in economic development. I propose that we transfer the Economic Development Division into a newly vitalized Department of Commerce, giving it the strong leadership and the resources that will enable us to compete with other states. And I guarantee you it will act consistent with environmental interests.

I propose the establishment of an Economic Development Board that will involve business and industrial leaders from across the state in this effort. I welcome, and North Carolina needs, its businessmen to help us build our economy. I also recommend that we expand our economic development budget by $1 million.

We must insure that we have a work force that can handle the jobs we want to bring to North Carolina. So I am proposing the establishment of a Labor Force Development Council in the Department of Commerce to determine the labor needs of our economy and to develop programs and policies that will enable us to fill those needs.

We must examine our other transportation needs in terms of how they contribute to our economic development. To that end, I believe we should reestablish a single policy-making Board of Transportation, one that can take a broad view of our needs — including primary highways, secondary roads, mass transit and airports — and one that will treat all our counties fairly.

I will also propose that this General Assembly submit to the voters of this state for consideration as soon as possible a highway construction bond issue of at least $300 million, one that will require no increase in taxes. The bond issue is a badly needed tool in our economic-development efforts.

Our efforts to strengthen our economy, however, may fall flat if we can't provide adequate energy resources. I propose that we transfer the State Energy Division to the Department of Commerce to coordinate our energy resources with our economic needs.

There could be no more pressing proof of our need for long-range energy policy than the current natural-gas crisis that threatens severe economic dislocations this winter.

We must also keep our agricultural economy strong. To that end, I will create a governor's advisory committee on agriculture to monitor our needs and our potential in this area.

The development of a strong economy can't be separated from the development of good, livable communities and the preservation of our natural resources. I propose to make those objectives the twin mission of a new Department of Natural Resources and Community Development.

A central theme of government in North Carolina over the next four years can be developing governmental policies, programs and procedures from the bottom up rather than from the top down. If we are going to seize the initiative from the federal government in improving the economic, social and political status of all our people, we must make available to our local governments the expertise that they need in good planning and good management. I believe this reorganized department can best do that job.

And this department can continue to promote the protection and wise use of our natural resources.

I see a new thrust for this department, too: community employment. I propose that it work with local governments to pull together existing programs — including the Comprehensive Employment Training Act, the Manpower Development Council and any forthcoming employment legislation — to develop our citizens' skills in a way that will attack the debilitating migration of untrained workers from our communities.

The quality of our community life can also be improved by the full development of our cultural resources. Our lives can be enriched by poetry, by music, by drama, by dance.

I believe all that I have talked about is but a prelude to our most important job: the education of our children. Nothing is more central to our future; our children are our future.

In a state that prides itself most on its dedication to public education, but where nearly 40% of our children who start in the first grade still fail to graduate, we must make changes. Our dedicated teachers, administrators and school boards are willing. Our people, now over the trauma of school desegregation, are ready.

I shall do everything that I can as Governor and ask you, the General Assembly, and our people to join together to build the best educational system that we can in North Carolina.

The public schools belong to the people. We must be open and honest with the people as to how they are doing and involve them in every way possible to improve them.

I propose that we measure the progress that our children are making in our schools each year, beginning now in the early grades, by standardized tests given state-wide. The results should be made available to parents and to the public, and interpreted in terms of "progress made" — not where a child began. The results, I believe, will spur us on to greater support of our schools.

We should develop and require that by the spring of 1979, every senior who graduates from a North Carolina high school has passed a minimum competency test of the survival skills of reading and math.

To involve and benefit our citizens to a far greater degree than we have known in recent history, I propose a statewide Community Schools Act.

We, the people, own libraries, gyms, shops, laboratories, meeting rooms, and equipment in every community. They are located in our public schools. I urge that we "open up" our schools to the people who need to use them as true "community facilities." I further urge that we increase the people's involvement in our schools by school advisory committees to provide grassroots advice and help as needed to our legally constituted school officials.

As the third part of our new thrust in public education, I urge that we give new meaning to the declaration of our North Carolina Constitution that: "The people have a right to the privilege of education . . ." I believe that we secure that right only if every child in our public schools learns to read. If our people spoke clearly to any single issue in the recent election, it was for this goal.

As the catalyst for this effort which must engage every teacher, school board, and countless citizen volunteers, I propose that we invest $15 million during the coming year to put special reading aides and instructional materials in 2,681 first, second, and third grade classrooms. I propose that, over the next four years, we put this program into every first, second, and third grade classroom in our state. It is the best investment we can make in our future.

Let us not forget that the development of our children shouldn't begin in the first grade, or in kindergarten. Too many children reach the first year of school already stunted and twisted by their early childhood experiences — poor health care, poor nutrition, neglect and even child abuse. Preventing that must be the primary goal of our Department of Human Resources.

And just as we care for the young, we cannot ignore the well-being of our senior citizens. I plan to create, within the Department of Human Resources, an aggressive, visible Division for the Aging.

If we are to realize the full benefits of our human resources in North Carolina, we must eliminate the discrimination that limits the opportunities of half the members of our society. Accordingly, I urge you to ratify the Equal Rights Amendment.

If we are to meet the needs of our consumers, we must have tighter regulation of their monthly bills. I recommend that the staff of the Utilities Commission be taken from the control of the commissioners, put under an executive director appointed for a fixed term by the governor and put to work arguing the citizens' case in every rate proceeding. I also propose the creation of a Citizens Advisory Council to help guarantee that the voice of the people be heard before the Utilities Commission.

If we are to make our communities safe places in which to live, we must take strong action to fight crime. I believe we must concentrate on preventing crime. I believe this is so important that I ask you to allow me to return to you with a special message on what I believe we can do to win this fight.

I also recommend your support for other measures that will come before you.

I strongly support the 6.5 per cent pay increase in the budget for our teachers and state employees. I hope that we can afford more. That increase covers the cost of living, and, when our revenue picture becomes clearer, we should consider further increases.

To insure that career teachers and state employees are rewarded the way that professionals should be, I believe we should take a hard look at longevity increases and other salary adjustments. I am looking forward to examining the proposals in this regard from the special committee chaired by Senator Stallings.

I also urge you to make two changes in our tax laws, changes that will make those laws fairer to people who work for a living. These are the elimination of the $120 sales tax limit on luxury vehicles and a doubling in the inheritance tax exemption, to $20,000.

I have outlined tonight a comprehensive agenda for action. It is not going to be an easy job to accomplish. The times call for energy, imagination and strong, responsible leadership.

The challenges before us are great, but not greater than the opportunity. We can be inspired by one North Carolinian who spoke of this opportunity.

Thomas Wolfe wrote:

"I believe that we are lost in America, but I believe we shall be found — I think the true discovery of America is before us. I think the true fulfillment of our spirit, of our people, of our mighty and immortal land, is yet to come.

"I think the true discovery of our democracy is still before us. And I think that all these things are certain as the morning, as inevitable as noon.

"I think I speak for most men living when I say that our America is here, is now, and beckons before us, and that this glorious assurance is not only our living hope, but our dream to be accomplished."

This year, by the courage and wisdom and especially of this General Assembly we will lead North Carolina toward the accomplishment of that dream.

January 31, 1977

MESSAGE TO THE NORTH CAROLINA GENERAL ASSEMBLY BY THE HONORABLE JAMES B. HUNT, GOVERNOR OF THE STATE OF NORTH CAROLINA.

Let those who commit crimes in North Carolina know that henceforth they are marching to the beat of a different drummer. North Carolina's approach to controlling crime has failed. Together — as Governor, as a General Assembly, as a people — we must evolve a new plan of direction.

Today, we are the witnesses to a new crime rate that staggers the imagination. The FBI statistics show that North Carolina now has the 5th largest increase in its crime rate. North Carolina is especially vulnerable since crime is increasing more rapidly than ever before in the suburbs and rural areas.

Our prisons are inundated. We have one of the highest, if not the highest, per capita prison populations in the United States. Our penal sanctions are among the most severe in the nation. Since 1970, the percentage of prisoners who are felons has increased substantially.

More young people are committing serious crimes. In 1975, 69 per cent of our total inmate population was under 30 years of age.

North Carolina is not unusual, for crime is not geographically restricted; it is flourishing across the country. But we can be unique in developing a model plan to combat crime. We must be careful not to overpromise. We are not going to "solve" crime; we are not going to wipe it out in North Carolina. But our unfortunate record leads me, as your Governor, to the inescapable conclusion that we must act now to mobilize the full resources of North Carolina — the police, the sheriffs, the courts, the prisons, the Executive Branch of Government, the General Assembly and, most important, the people of North Carolina.

We must have a comprehensive plan that enables us to move ahead effectively and forcefully in protecting our lives, our homes and our property. I want to ask every North Carolinaian tonight to make a commitment to be a part of that mobilization.

I believe it is up to those of us in this chamber, the elected leaders of North Carolina, to take the lead in pulling those resources together, in providing a central direction for what we must do and in establishing clear lines of responsibility for doing it. So let us begin tonight to work together to provide the leadership that this state has been lacking.

Let us first put state government's house in order. Let us make one department responsible for fighting crime and place under it those agencies that are equipped to do the job. I will offer you legislation that, in place of the present Department of Military and Veterans Affairs, will establish a Department of Crime Control, Public Safety and Veterans. I propose that we transfer to this new department the State Highway Patrol, the Alcoholic Beverage Control Enforcement Division, the Governor's Commission on Law and Order, the Law and Order Section, the Criminal Justice Information

System Board and the Security and Privacy Board. I propose that the Department retain the Veterans Affairs Commission and the Divisions of Veterans Affairs, Civil Preparedness, Civil Air Patrol and the National Guard.

This redirection and refocusing of our efforts will enable the new department to work with the Attorney General's Office and make sure that we are getting our money's worth out of the agencies of state government that are responsible for fighting crime and protecting the public safety.

I urge your speedy consideration of this prosposal. I hope this restructured department can start work on April 1.

I also believe that we must establish a "lead agency", one that will establish a plan for fighting crime and will be a catalyst for the changes we need. Our efforts in the past have been botched by inefficient, unfocused planning. We must spend wisely the millions of federal dollars available for effective crime-fighting programs. So I propose that we change the name of the Governor's Commission on Law and Order to the Governor's Crime Commission and make it the nerve center for planning our fight against crime.

We must involve the people of this state in our efforts, so I propose that the commission have 28 voting and six ex-officio members, representing all parts of the criminal justice system at both the local and state levels. We can broaden the commission's reach by also creating several adjunct committees with additional members who will bring to the commission more experience and knowledge in the areas of crime prevention and public information, judicial planning, law enforcement, corrections and juvenile code revision.

Time is crucial here. North Carolina stands to lose several million dollars in federal funds unless prompt action is taken. That action needs to be taken by this new Crime Commission. It should have a formal meeting by March 10, and appointments must be made before then. I respectfully request your positive action on this legislation by February 15.

We must also recognize that we will be fighting a losing battle against crime if we don't prevent the literally tens of thousands of young people who are in trouble with the law today from becoming hard-core criminals tomorrow. So I propose the creation of a Juvenile Code Revision Commission to develop a plan that will protect our citizens and best serve the needs of our young people. This will be the first concentrated, coordinated and independent evaluation of our juvenile justice efforts. It will objectively study existing laws, services, agencies, and commissions and recommend whether they should be continued, amended, abolished or merged.

I also ask that you hold in abeyance any major new legislation that involves a change in present policy until this commission makes its report. If possible, it should report some recommendations before this session adjourns. Its full report should be ready at the beginning of the next session of the General Assembly. It can begin work as soon as you pass legislation

creating the Governor's Crime Commission. We do not need any appropriations for it; Law Enforcement Assistance Administration funds are already available.

The study commission will be composed of 12 persons — a member of the House, a member of the Senate and 10 citizens. Each state child-serving agency and private organization with an interest in this area will be asked to designate a person to present its views and information to the commission.

In making these requests, I realize that studies have been done before by many agencies, organizations and individuals. But our efforts have been uncoordinated in the past, despite our good intentions. Look at what we face today: an increase in juvenile delinquency and undisciplined conduct; fragmentation among about 20 child-serving agencies of state government; bureaucratic infighting; frustration on the part of our juvenile judges, who admit they do not know what to do with the children before them; disagreements between those who believe that undisciplined children should be dealt with by the courts and those who believe they should be referred to social agencies; utter confusion over the role of our training schools and a failure to have available today adequate community resources for children who might best be helped in their own communities. It is clear that we need a fresh approach.

I also request that you stay the implementation of the portion of House Bill 456 enacted by the 1975 General Assembly that would, after July 1, prohibit the courts from committing to the state's training schools children who have previously been placed on probation for undisciplined conduct. We must continue to work toward that goal, but we must admit that we have failed to move quickly enough to provide adequate community-based alternatives.

This is an emotional issue. Our citizens care about our children. And sometimes, I suspect, the heart, rather than the head, has guided our decisions. We need both, and I appeal to the members of the legislature to take the lead in seeing that we use both.

Just as crime is one of the greatest concerns of our citizens, our citizens can do the most to stop it before it happens. We must all simply recognize our responsibilities. If we want respect for the law, we must exemplify that respect in our daily lives. If we want to reduce crime, we must be willing to serve on a jury and convict when the evidence compels it. We must be willing to join our neighbors in learning to watch out for each other and each other's homes. Communities that have Community Watch programs have reduced crime.

Forsyth County has 110 Community Watch programs, and the burglary rate in those communities has been reduced by 98 per cent. Countywide, the burglary rate has been cut in half.

One of the duties of my proposed new Office of Citizen Affairs will be to extend that program across the state.

If we want to get serious about fighting crime, we must stand behind those men and women who are our first line of defense — our law enforcement officers. We must pay them fairly, so I have proposed that their minimum salaries be raised in the coming budget year to $7,600 a year. I also recommend that local units gradually pay higher percentages of officers' salaries in order to qualify for minimum salary supplements from the state. Adequate training goes hand in hand with adequate salaries, so I strongly support at least 240 hours of training for our officers.

We must also require training for all magistrates, including those who, because of the grandfather clause, have been exempted from any training requirement. I also propose that we consider increasing their requirement from 40 to 60 hours. We must recognize that our magistrates are a crucial point in our system: the point at which an error can set a criminal free and a point at which most of our citizens have their first contacts; and form their first impressions of our system.

I believe it is wrong for our law officers to be risking their lives and at the same time running an undue risk of lawsuits arising from actions taken in the line of duty. So I propose that we move as quickly as possible to provide $1 million in liability protection to each of our officers. Doctors and lawyers would refuse to practice if they didn't have this kind of coverage, and we must give our law officers the same protection. For their further protection, I propose that we enact a "come-along" statute and a provision for the termination of an arrest.

Our system must also be better prepared to ease the trauma and tragedy of rape cases. We must provide special training for officers who handle these cases, and they must work closely with local rape-crisis centers. The Council on the Status of Women will assist these efforts.

We must change some of our criminal laws to enable our system to work more effectively and efficiently. I recommend that this state commit itself to a program of restitution, in which criminals are required to pay their victims for the losses and damage they cause. Under present law, a judge can require this only when the offender is put on probation. I believe we must require offenders to pay restitution while in jail or on parole or after being released. I propose that this be our primary effort while we continue to examine programs for victim compensation in other states. It is our duty to see that the criminal makes his victims whole.

There is one fundamental change we must make in our laws. The best way to deter a potential criminal is to let him know in advance what his punishment will be if he is caught and convicted.

So I say to you that the time has come in North Carolina for a certain-sentencing law.

There are two compelling reasons for it: first, it is the best deterrent to crime; second, it is the only way to reduce the discrimination and disparity in sentencing that breeds disrespect and lack of confidence in our system. We must let our citizens know that the law will be applied fairly and without favor. I know that the poor aren't the only ones who commit crimes, but

it sometimes seems that they are the only ones who go to prison. We must also treat the white-collar criminals with certainty and toughness.

The disparity in sentencing is frightening. Convictions for manslaughter bring sentences ranging from probation to 20 years in prison. Our judges have far too much discretion. This legislature should prescribe the public policy for sentencing criminals. We have no logical system of sentencing now; it's a public lottery. We need a well-defined philosophy for sentencing. We must have a system of laws, not of men.

We should consider presumptive-sentencing legislation, now before the Knox Commission. I believe such legislation should enable the General Assembly, by law, to prescribe what the punishment should be for various categories of felonies; it should provide the factors that can be considered in increasing or reducing that punishment and require judges to spell out those factors in writing; it should permit no other discretion in sentencing.

Because of concern for first offenders, many of whom are young, our judges should be allowed to suspend their sentences. But second and third offenders should receive mandatory jail terms.

With that same goal of deterrence in mind, I support the reinstatement of the death penalty for first degree, premeditated murder. Reason tells me that many people who can kill in cold blood can be deterred by the threat of death. And the existence of that threat can result in less taking of human life. But I don't think the people of North Carolina consider the death penalty an appropriate punishment for rape, and I oppose its application here. I am afraid that many rapists are acquitted because of the reluctance of jurors to apply the death penalty in those cases. Further, I believe that any death penalty law, if it is to be fairly applied, must provide for experienced criminal defense counsel.

We can make other changes in our laws to deter crime. To prevent violent crimes, we should require a jail sentence wherever a gun is used in the commission of a felony. We can best prevent robberies and burglaries by putting the fences out of business, so I recommend that we strengthen our completely inadequate laws against receiving stolen goods. We citizens are also paying for the heavy losses our merchants sustain from bad checks, and I support strengthening our laws against the habitual offenders and those who intend to defraud.

To focus our resources where they are most needed, I urge law enforcement officers at all levels to concentrate on the pushers of hard drugs. I commend the Attorney General's Office for its efforts here. I also believe we would be wise to decriminalize drunkenness and treat it as a disease, using the jails only for the safety of the drunk.

Almost every law officer I have talked with across this state, however, tells me that our greatest need in the fight against crime is to make our courts work better. I agree. And that means we must guarantee speedy trials. Nothing can be more sobering to the criminal than to realize he will be tried quickly. The accused already has the right to a speedy trial in our system; the public should have that right for its protection, too.

Many criminal cases in North Carolina remain on the docket for 18 months. The solution is not assembly-line justice; it is additional courts to handle the backlog of cases. So I recommend that you approve provisions in the current budget adding 14 new Superior Court judges and the supporting personnel needed to assure trials within 90 days of the indictment. I believe we should look to legislation supported by Speaker Stewart to achieve that goal. We should begin phasing-in the speedy-trial requirement by July 1, 1978. We must make sure that our courtrooms are working for us at least eight hours a day.

In addition, we must reduce the time consumed by appeals in criminal cases. Too often, frivolous appeals permit offenders to remain on the streets, committing more crimes, and many appeal for that purpose. To increase our appellate courts' capacity, I urge this General Assembly to consider limiting unnecessary, trial-consuming appeals in criminal cases and to determine whether additional appellate judges are needed to keep pace with the crowded calendars. We must also scrutinize the Criminal Procedures Act to insure that it doesn't permit unnecessary delays in trials. We must remember that justice delayed is justice and firmness denied.

We must also concentrate the resources of our district attorneys' offices where they will do the most good — against the career criminal. So I will establish pilot programs in certain counties that will identify the habitual offender, concentrate against him all the resources needed to investigate the case, try him quickly and, if he is convicted, put him in jail as soon as possible. If these pilot programs are as successful here as they have been in other states, I will recommend that they be adopted statewide. We must let the repeater know that we will move quickly and strongly to get him off the streets.

To help us in this effort, we should explore ways to make the position of assistant district attorney a more attractive career, so that we will have experienced prosecutors who are skilled at handling serious criminal cases against highly paid defense lawyers.

Now we come to the end of the line — our prisons. It is a simple fact that they are not working. We have some 13,600 prisoners, but only 10,900 bed spaces. Our prisons are old. Their staffs are inadequate. Some of our wardens acknowledge that the inmates control many sections of their prisons. We can't protect inmates from assaults. Some judges refuse to sentence convicted offenders to our prisons. We must resolve to make our prisons effective arms of our fight against crime, not just human warehouses.

As Governor, I am moving ahead to ease the overcrowding with the construction of modular units by mid-summer. I will also propose legislation that will require offenders with sentences of six months or less to be confined in jails and other local facilities, when there is room. Because only about half of the bed spaces in our training school are being used, we should house offenders under the age of 21 in some training schools. I will also recommend that, during the coming months, when we must relieve overcrowding, the Paroles Commission carefully consider early release

under special parole for low-risk inmates who represent no serious threat to the community.

We must also move ahead with long-range prison construction. I support the budget's provision for prison construction, including Phase One of Central Prison. After reviewing the Knox Commission's work, I also suggest that you carefully consider the following recommendations in budgeting money for long-range construction: that prison units have enough single-cells, that they not have more than 300 inmates and that they be dispersed across the state. I want to appeal to the elected leaders of the people of this state to help us face up to this situation, to convey to the people our urgent need to build new prisons. And we must recognize that, while no one wants a prison in his community, we won't be safe without them.

We must also end the dangerous idleness in our prisons. We must put the inmates to work. Where possible, prison labor should be used to build new facilities. Existing facilities can use painting and scrubbing. Work is the best form of rehabilitation, and it will be the policy for inmates during this administration.

We must recognize that some inmates can be rehabilitated, and programs should be available for those who want to participate. But participating in rehabilitation programs should not be a ticket for early release. We must strike what our able new Secretary of Correction, Amos Reed, calls a fair balance between rehabilitation and control. We have neither now; let us move to change that.

To guarantee certainty and fairness in punishment, I also believe that we must abolish discretionary paroles. In place of the current system, we should grant inmates a specified time off for every day of good behavior and we should consider granting extra good time for certain kinds of work. That gives every prisoner a certain release date. The paroles system has been consistently abused throughout the years, and that abuse frustrates inmates and disgusts the public.

I want to address a few words now to the members of the General Assembly. This first month has been an exciting one; we have witnessed an inauguration here and the inauguration of a new president. You have been sworn in and begun your work. The State of the State message, the preparation of the budget, this special message on crime, taking hold of the executive branch of government, the energy crisis — these matters have occupied much of my time. Our first month of work has quickly reminded us of the responsibility that the people have given us.

We hold office in a special time. The people are watching us to see whether we have the courage and the wisdom to help them move ahead. In so many ways, they are far ahead of us in their willingness to begin moving. Let us meet that challenge. I have no pretensions of being able to provide all the leadership that we need by myself. I am proud to have been a part of this General Assembly for the last four years. I have learned from you, and I look forward to working with you to provide the leadership that our people are looking for.

And, to the people of North Carolina, let me say this; No matter how hard we try, there is not enough courage and wisdom in this chamber to do all the things that need to be done. I have spelled out tonight a broad range of ideas that I believe we should pursue. The members of this legislature will be considering those ideas and refining them and adding their own in coming months. In the end, they pass the laws.

I ask all of you to recognize your responsibilities. The system we build to fight crime doesn't belong to just the Governor and the General Assembly and the courts; it belongs to you. The law officers work for you. The courts belong to you. The prisons belong to you. I ask you to make a commitment to make them work for you.

The problem of crime is so great today that I believe much of the time of this General Assembly needs to be devoted to reducing it. This legislature can be remembered for what it accomplishes here. It can be remembered as the first General Assembly to unite our people and our resources in the fight aganist crime. Let us reach together for that distinction.

SENATE

OFFICE OF THE PRESIDENT

Lieutenant Governor	James C. Green
Administrative Assistant	Arlene Pulley
Special Assistant	Charles Campbell
Secretary	Gretchen Dickson Mary Ann Dusenbury
Legislative Liaison	Samuel H. Johnson

OFFICE OF THE PRESIDENT PRO TEMPORE

President Pro Tempore	John T. Henley
Secretary	Joan Leatherman

OFFICE OF THE PRINCIPAL CLERK

Principal Clerk	Sylvia M. Fink
Calendar Clerk	Ida Pullen
Assistant Calendar Clerks	Helen DeBerry Linda Houghtaling Mary Puryear
Journal Clerks	Sandra Brown Doris Moore
Assistant Journal Clerks	Ina McMillan Barbara Richardson Ann Spencer Dot Winstead

READING CLERK

LeRoy Clark, Jr.

OFFICE OF THE SERGEANT-AT-ARMS

Sergeant-at-Arms	Vinson Bridgers, Jr.
Deputy Sergeant-at-Arms	Bobby Poole
Secretary	Gerta Pleasants
Assistant Sergeants-at-Arms	William Copley Crawford "Top" Dalton William Franklin Clarence "Doc" Hobbs Charles L. Ives, Jr. Thomas Leroy Johnson, Jr. Charles Lasister

Assistant Sergeants-at-Arms (continued)	David Miller Garland Peete Randy Ramsey Kevin Richardson Kenneth C. Wagner, Jr. James D. Warlick Albert G. Willcox Elizabeth Wynne
SENATE COMMITTEES	CLERKS
Agriculture	Sarah Murphy
Alcoholic Beverage Control	Anita Williams
Appropriations	Ellen Johns
Education	Hazel Cooper
General Government and Transportation	Dawn Reynolds Hedda Bagnal
Human Resources and Corrections	Lucille Harper
Banking	Betty Warren
Base Budget	Elaine Myers
Constitutional Amendments	Nancy Nance
Courts and Judicial Districts	Kathy Cooke
Criminal Justice	Charlotte Johnston
Economy	Ann Cooper
Education	Connie Mitchell
Election Laws	Pat House
Finance	Gayle Battley
Higher Education	Phyllis McDowell
Human Resources	Betty Lee
Insurance	Jean Thompson
Judiciary I	Jo Anne Harrington
Judiciary II	Bettie Browne
Law Enforcement and Crime Control	Bonnie Thorpe
Local Government and Regional Affairs	Janet Puryear
Manufacturing, Labor and Commerce	Sallie Shimer

Natural and Economic Resources	Rebekah Cilley Myrt Pickard
Public Utilities and Energy	Sandra Jones
Rules and Operation of the Senate	Joan Leatherman
State Government	Leslie Bevacqua
Transportation	Jane Holliday
University Board of Governors	Jean Speck
Veterans and Military Affairs	Sandra Milford
Ways and Means	Lorraine Newsome
Ways and Means, Special	Hellon Senter Lorraine Newsome
Wildlife	Lee Combs

SECRETARIES

Barbara Clement (Supervisor)	Christine Gallagher	Emily O'Kelly
Clara Bishop	Lema Halstead	Pat Pierce
Evelyn Costello	Annette Hargett	Phyllis Porter
Allana Cozart	Stephanie Harris	Miriam Prichard
Mabel Dorsey	Dot Ingram	Mary Badger Stallings
Dabney Enderle	Barbara Johnson	Lois Tyree
	Beverly Moser	Camilla Vester

APPOINTMENTS SHARED BY THE LIEUTENANT GOVERNOR AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The following appointments to Boards, Commissions, and Committees were made during 1977 by the President of the Senate, the Honorable James C. Green, Lieutenant Governor and the Honorable Carl J. Stewart, Speaker of the House of Representatives:

Lieutenant Governor Speaker of the House of Representatives

ADVISORY BUDGET COMMISSION

(G. S. 143-4) (Term of two years)

Senator I. C. Crawford
Senator Harold W. Hardison
Senator Marshall A. Rauch
Senator Kenneth C. Royall, Jr.

ARCHEOLOGICAL ADVISORY COMMITTEE

(G. S. 143B-66) (Term of four years)

Senator Carl D. Totherow

CAPITAL BUILDING AUTHORITY

(G. S. 129-40) (Term of two years)

Senator Robert B. Jordan III

CAPITAL PLANNING COMMISSION

(G. S. 143B-373) (Expires upon completion of Legislative term)

Senator Fred Alexander
Senator I. Beverly Lake, Jr.
Senator Ralph H. Scott
Senator Robert W. Wynne

CHILDREN AND YOUTH, GOVERNOR'S ADVOCACY COUNCIL ON

(G. S. 143B-404) (Term of four years)

Senator Helen Rhyne Marvin
Senator Katherine H. Sebo

CHILDREN WITH SPECIAL NEEDS, COMMISSION ON

(G. S. 120-58) (Term of two years)

Senator Donald R. Kincaid
Senator Carolyn Mathis
Senator Russell G. Walker

CODE OFFICIALS QUALIFICATION BOARD, NORTH CAROLINA

(G. S. 143-151.6)

*Mr. Emory C. "Al" Albritton (Term of three years)
*Mr. W. Tom Cox, P. E. (Term of one year)
*Mr. Herbert P. McKim (Term of four years)
*Mr. James L. Prillaman (Term of two years)

*Not a member of the General Assembly

CONSERVATION LAW STUDY COMMITTEE OF NORTH CAROLINA
(Resolution 84, 1977 Session Laws) (Term unspecified)
Senator James D. Speed
Mr. J. E. Lambeth

CRIME COMMISSION, GOVERNOR'S
(G. S. 143B-337) (Term expires March 1, 1979)
Senator Joe H. Palmer

CRIMINAL JUSTICE EDUCATION AND TRAINING SYSTEM COUNCIL
(G. S. 17B-4) (Term expires July 1, 1978)
Senator Edward Renfrow

DISCIPLINARY HEARING COMMISSION
(G. S. 84-28.1) (Term of three years)
*Mr. Colon Byrd, Jr.

EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL
(G. S. 143-510) (Term of two years)
Senator James D. McDuffie
Mr. R. D. Beard
Senator Jerry Popkin
Ms. Patricia S. Hunt

ENERGY POLICY COUNCIL
(G. S. 113B-21) (Term expires January 1, 1979)
Senator Henson P. Barnes
Senator Russell Walker

GENERAL STATUTES COMMISSION
(G. S. 164-14) (Term expires May 31, 1979)
Senator Robert S. Swain

GOVERNMENTAL EVALUATION COMMISSION
(Chapter 712, 1977 Session Laws) (Term expires when successor appointed)
Senator Robert B. Jordan III
Mr. David W. Bumgardner, Jr.
Senator Marshall A. Rauch
Mr. Ben Tison

HEARING IMPAIRED, NORTH CAROLINA COUNCIL FOR THE
(G. S. 143B-211) (Term of two years)
Senator Lawrence Davis
Mr. Claude DeBruhl

INCENTIVE PAY FOR STATE EMPLOYEES, COMMITTEE
(G. S. 126-46) (Term expires June 30, 1980)
Senator Marshall A. Rauch
Mr. William K. Mauney, Jr.

INMATE LABOR COMMISSION, AREA
(Chapter 685, 1977 Session Laws) (Term of two years)
Senator Fred D. Alexander

INTERNSHIP COUNCIL, NORTH CAROLINA
(G. S. 143B-400) (At the pleasure of the Appointive Authority)
*Mr. John M. Jordan
*Mrs. Jeanne T. Hoffman

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*Not a member of the General Assembly

INTERSTATE COOPERATION, COUNCIL ON
(G. S. 143B-382) (Term of two years)

Senator Harold W. Hardison	Mr. John E. Davenport
Senator John T. Henley	Mr. Charles Holt
Senator Kenneth C. Royall, Jr.	Mr. Dwight W. Quinn

JUDICIAL COUNCIL
(G. S. 7A-400) (Term of two years)
Senator Julian R. Allsbrook
Senator Luther J. Britt, Jr.

LAND POLICY COUNCIL
(G. S. 113A-153) (unspecified)

Senator Willis P. Whichard	Mr. David H. Diamont

LAW ENFORCEMENT OFFICERS LIABILITY INSURANCE STUDY COMMISSION
(Chapter 979, 1977 Session Laws) (Term expires March 1, 1978)

Senator George W. Marion, Jr.	Mr. R. D. Beard
Senator William G. Smith	Mr. Porter C. Collins, Jr.
Senator Robert V. Somers	Mr. Horace Locklear

LEGISLATIVE ETHICS COMMITTEE
(G. S. 120-99) (Term of two years)
Senator T. Cass Ballenger
Senator Luther J. Britt, Jr.
Senator Donald R. Kincaid
Senator Craig Lawing
Senator Joe B. Raynor

LOCAL GOVERNMENT COMMISSION
(G. S. 159-3) (Term of four years)
*Kitchen Josey

MEDICAL COST CONTAINMENT, LEGISLATIVE COMMISSION ON
(Chapter 968, 1977 Session Laws) (Termination of Commission)

Senator T. Cass Ballenger	Mr. John R. Gamble, Jr.
Senator I. C. Crawford	Mr. J. P. Huskins
Senator John T. Henley	Mr. Ted Kaplan
Senator I. Beverly Lake, Jr.	Mr. Willis Henry Lachot, Jr.
Senator T. Craig Lawing	Mr. David R. Parnell
Senator Kenneth C. Royall, Jr.	Mr. Barney Paul Woodard

MENTAL HEALTH COUNCIL
(G. S. 143B-183) (Term of four years)

Senator Ollie Harris	Ms. Janet Pickler
Senator Kenneth C. Royall, Jr.	

*Not a member of the General Assembly

MENTAL HEALTH STUDY COMMISSION
(Chapter 184, 1977 Session Laws) (Indefinite term)

Senator Julian R. Allsbrook
Senator Harold W. Hardison
Senator Ollie Harris
Senator Cecil J. Hill
Mr. Chris S. Barker, Jr.
Ms. Nancy Chase
Mr. Gus N. Economos
Ms. Myrtle E. Wiseman

MENTAL HEALTH AND MENTAL RETARDATION SERVICES, COMMISSION FOR
(G. S. 143B-148) (Term expires July 30, 1979)

Senator Joe B. Raynor
Mr. Chris S. Barker, Jr.

MENTALLY ILL AND DEVELOPMENTALLY DISABLED, ADVOCACY COUNCIL FOR
(Chapter 822, 1977 Session Laws) (Term expires June 30, 1980)

Senator Ralph H. Scott
Senator Vernon E. White

MOTOR VEHICLE DEALER'S ADVISORY BOARD, NORTH CAROLINA
(G. S. 20-305.4) (Term of three years)

*Mr. Frank R. Anderson, Jr.
*Mr. Douglas A. Fox
*The Honorable Larry E. Leonard
*Mr. William McCombs

MOTOR VEHICLES, STUDY OF THE COLLECTION OF PROPERTY TAXES ON
(Resolution 94, 1977 Session Laws) (indefinite term)

*Mr. Lloyd Burchette
*The Honorable James C. Davis
*Mr. William R. Knight
Senator Carolyn Mathis
*Mrs. Katherine M. McRacken
*Mr. Jack S. Warren
Ms. Marilyn R. Bissell
Mr. Samuel D. Bundy
Mr. Claude DeBruhl
Mr. Fred R. Dorsey
Mr. Robert A. Jones
Mr. William T. Watkins

PARKS STUDY COMMISSION, STATE
(Chapter 1030,1977 Session Laws) (Termination of Commission)

Senator Melvin R. Daniels, Jr.
Senator James B. Garrison
Senator Rachel G. Gray
Senator Joe H. Palmer
Mr. Daniel A. C. Hall, Jr.
Ms. Edith L. Lutz
Mr. George Ronald Taylor
Mr. Charles Edward Webb

PORTS AUTHORITY, STATE
(G. S. 143-216) (Term of two years)

Senator Jack Childers

RETIREMENT SYSTEM BOARD OF TRUSTEES
(G. S. 135-6(b)(4)) (Term of two years)

Senator Harold W. Hardison

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*Not a member of the General Assembly

TAX STUDY COMMISSION
(G. S. 143-433) (Successor appointed)

Mr. Carson Gregory
Mr. Peter W. Hairston
Ms. Eugene M. White

TRAFFIC SAFETY AUTHORITY, NORTH CAROLINA
(G. S. 143-392) (Pleasure of Appointive Authority)
Senator J. J. Harrington

TRANSPORTATION, BOARD OF
(G. S. 143A-98.1(b)(3) (Term of two years)
Senator James B. Garrison

UTILITY REVIEW COMMITTEE
(Resolution 100, 1977 Session Laws) (Term expires June 30, 1980)
Senator W. Craig Lawing

WILDLIFE COMMISSION.
(G. S. 143-240) (Term expires June 30, 1979)
Senator Edward Renfrow

YOUTH SERVICES ADVISORY COMMITTEE
(G. S. 143B-208) (Term expires July 1, 1979)
Senator Roger D. Sharpe
Senator D. Livingstone Stallings

APPOINTMENTS SHARED BY SENATE PRESIDENT PRO TEMPORE and SPEAKER OF THE HOUSE OF REPRESENTATIVES

The following appointments to Boards, Commissions, and Committees were made during 1977 by the Honorable John T. Henley, President Pro Tempore of the Senate and by the Honorable Carl J. Stewart, Speaker of the House of Representatives:

President Pro Tempore	*Speaker*

LEGISLATIVE SERVICES COMMISSION
(G. S. 120-31) (Term expires upon completion of Legislative Term)

Senator James B. Garrison	Mr. Henry E. Frye
Senator Harold W. Hardison	Mr. Gordon H. Greenwood
Senator J. J. Harrington	Mr. Edward S. Holmes
Senator Joe H. Palmer	Mr. Dwight Quinn
Senator Marshall A. Rauch	Mr. H. Horton Rountree
Senator Kenneth C. Royall, Jr.	Ms. Margaret Tennille

*Not a member of the General Assembly

President Pro Tempore — *Speaker*

LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS
(G. S. 120-74) (Term expires January 15, 1979)

Senator I. C. Crawford	Mr. Roberts H. Jernigan, Jr.
Senator Harold W. Hardison	Mr. Fletcher Harris
Senator W. Craig Lawing	Mr. Hector E. Ray
Senator Carl J. Totherow	Mr. William Marcus Short

LEGISLATIVE RESEARCH COMMISSION
(G. S. 120-30.1) (Term expires upon completion of Legislative Term)

Senator Dallas L. Alford, Jr.	Mr. Chris S. Barker
Senator Luther J. Britt	Dr. John R. Gamble
Senator Cecil J. Hill	Mr. Thomas O. Gilmore
Senator Robert B. Jordan III	Mr. H. Parks Helms
Senator Vernon E. White	Ms. Lura S. Tally

LEGISLATIVE RESEARCH COMMISSION—COMMITTEES

Administrative Rules Review Committee—SB 460

Senator Dallas L. Alford, Jr.	Mr. Wm. H. McMillan
Senator Luther J. Britt, Jr.	Mr. James F. Morgan
Senator Willis Whichard	Mr. Peter W. Hairston
Senator Robert B. Jordan III	(Joint Appointment)

Aging, Committee on—HJR 533

Senator Joe B. Raynor (Co-chm)	Mr. Ernest Bryan Messer (Co-Chm)
Senator Rachel G. Gray	Mr. James McC. Clarke
Senator Ollis Harris	Mr. Gus N. Economos
*Mrs. Louise Saunders	Mr. Edd Nye
Senator Ralph H. Scott	Ms. Janet W. Pickler
Senator James D. Speed	*Mr. A. B. Swindell

Bicycle Registration—SJR 652

Senator McNeill Smith (Co-chm)	Mr. William A. Creech (Co-chm)
Senator James D. McDuffie	Mr. George A. Hux
*Captain Ray Shoaf	Mr. LeRoy P. Spoon, Jr.

Community Colleges—SR 813

Senator Jack Childers (Co-chm)	Mr. H. Parks Helms (Co-chm)
Senator Helen R. Marvin	Mr. T. Clyde Auman
Senator Ed Renfrow	Mr. Jeff H. Enloe, Jr.
Senator Roger Sharpe	Mr. Roberts H. Jernigan, Jr.
Senator Carl D. Totherow	Mr. Charles E. Webb

*Not a member of the General Assembly

President Pro Tempore *Speaker*

LEGISLATIVE RESEARCH COMMISSION—COMMITTEES (continued)

Consumer Products Safety—SB 833

Senator James D. Speed (Co-chm)	Mr. Ned R. Smith (Co-chm)
Senator J. J. Harrington	Mr. John T. Church
Senator Roger Sharpe	Mr. Albert Jennings Martin
Senator Robert V. Somers	Mr. J. T. Pugh, Jr.

Credit and Interest Laws—HJR 1283

Senator Melvin R. Daniels, Jr. (Co-chm)	Mr. E. Graham Bell (Co-chm)
*Mr. Charles Barbour	Mr. Harold J. Brubaker
*Mr. F. P. Bodenheimer	Ms. Ruth E. Cook
Senator E. Lawrence Davis	Mr. Joseph E. Johnson
Senator Robert B. Jordan III	Mr. Benjamin D. Schwartz
*Mr. Wilson F. Yarborough, Sr.	Mr. William Marcus Short

Fisheries—HJR 1385

Senator Livingstone Stallings (Co-chm)	Mr. Joseph L. Bright (Co-chm)
Senator Bobby Lee Combs	Mr. Howard B. Chapin
*Mr. Mike Bowling	Mr. S. Thomas Rhodes

HEED (Health Education)—SJR 826

Senator Kenneth C. Royall, Jr. (Co-chm)	Mr. John Varner (Co-chm)
Senator Melvin R. Daniels, Jr.	*Dr. C. Clemete Lucus, Jr.
Senator Russell Walker	*Dr. John L. McCain
*Dr. William J. Demaria	Mr. Ed Nye
	Mr. Eugene White

Horse Racing—HJR 1274

Senator Joe H. Palmer (Co-chm)	Mr. Allen C. Ward (Co-chm)
Senator Melvin R. Daniels, Jr.	Ms. Wilda H. Hurst
Senator Kenneth C. Royall, Jr.	*Hon. Robert D. Wheeler

Housing and Building Codes—HJR 1360

Senator Willis Whichard (Co-chm)	Mr. David DeRamus (Co-chm)
*Mr. Emory C. Albritton	Mr. E. Graham Bell
*Miss Virginia Beacham	Mr. George Cullipher
*Mr. C. W. Dawson	Mr. Glenn Morris
Senator J. J. Harrington	Mr. Reid Poovey
Senator Craig Lawing	Mr. Tom Sawyer

*Not a member of the General Assembly

President Pro Tempore — *Speaker*

LEGISLATIVE RESEARCH COMMISSION—COMMITTEES (continued)

Indoor Stadium (Sports Facility Continued)—SJR 21

Senator Julian Allsbrook (Co-chm)	Mr. Allen C. Barbee (Co-chm)
*Mr. Ted Dick	Ms. Pat Griffin
Senator James D. McDuffie	Mr. Foyle Hightower, Jr.
Senator Marshall Rauch	Mr. Thomas B. Hunter
*Mr. James Strickland	Ms. Mary Nesbitt
	Mr. J. Guy Revelle, Sr.

Insurance—SB 740

Senator Carl D. Totherow (Co-chm)	Mr. A. Hartwell Campbell (Co-chm)
Senator Fred Alexander	Mr. Thomas W. Ellis, Jr.
Senator Robert B. Jordan III	Mr. Judson D. DeRamus, Jr.
Senator Carolyn Mathis	Ms. Mary P. Seymour
Senator R. C. Soles	Ms. Betty Dorton Thomas

Inventory Tax—HJR 563

Senator Robert S. Swain (Co-chm)	Mr. Aaron W. Plyler (Co-chm)
*Hon. Thomas J. Byrne	Mr. Thomas J. Baker
*Mr. Fred Coe, Jr.	*Mr. John G. Medlin, Jr.
Senator James Garrison	Mr. William Marcus Short
Senator Donald Kincaid	*Hon. James W. Warren

Land Development Code—SJR 702

Senator Henson P. Barnes (Co-chm)	Mr. Charles Holt (Co-chm)
Senator Cass Ballenger	Mr. Howard Clement
*Mr. Watson Brown	Mr. Robert Falls
*Mr. Jack Rider	Ms. Frances Setzer

Lieutenant Governor, Duties of—HJR 1377

Senator Craig Lawing (Co-chm)	Mr. Liston B. Ramsey (Co-chm)
Senator Jack Childers	Mr. Richard R. Grady
Senator Donald R. Kincaid	Mr. Joseph E. Johnson
Senator Kenneth C. Royall, Jr.	Mr. Addison Neal Smith

Open Meetings of Governmental Bodies—HB 522

(Not appointed) at date of printing	Ms. Louise S. Brennan
	Mr. Daniel A. C. Hall, Jr.
	Ms. Bertha M. Holt
	Mr. George W. Miller, Jr.

*Not a member of the General Assembly

President Pro Tempore *Speaker*

LEGISLATIVE RESEARCH COMMISSION—COMMITTEES (continued)

Physicians' Assistants—HJR 1414

Senator Ollie Harris (Co-chm)	Mr. Barney Paul Woodard (Co-chm)
*Dr. Susan Gustke	*Dr. John Elliott Dixon
Senator I. Beverly Lake, Jr.	Ms. Ruth M. Easterling
Senator W. Craig Lawing	*Ms. Carolyn Glover, R.N.
Senator Joe H. Palmer	Mr. Robie L. Nash
*Mr. Eugene Tranbarger	Mr. Henry M. Tyson

Private College Assistance—SR 641

Senator Robert W. Wynne (Co-chm)	Mr. J. T. Pugh (Co-chm)
Senator Joe H. Palmer	Mr. A. J. H. Clement III
Senator Katherine H. Sebo	Mr. George Miller
Senator Vernon E. White	Ms. Lura Tally

Public School Employees Salaries—HB 674

Senator Harold W. Hardison (Co-chm)	Ms. Jo Graham Foster (Co-chm)
Senator T. Cass Ballenger	Mr. Howard B. Chapin
Senator I. C. Crawford	Mr. James H. Edwards
Senator Kenneth C. Royall, Jr.	Mr. Richard C. Erwin
Senator D. Livingstone Stallings	Mr. Hector E. Ray

Public School Laws—SJR 848

Senator Ed Renfrow (Co-chm)	Mr. Daniel T. Lilley (Co-chm)
Senator Jack Childers	Mr. David H. Diamont
Senator George W. Marion, Jr.	Mr. James Ezzell
Senator Carolyn Mathis	Mr. Casper Holroyd
Senator Vernon E. White	Mr. Roy Johnson

Revenue Laws—SJR 578

Senator Marshall Rauch (Co-chm)	Mr. Robert L. Farmer (Co-chm)
Senator Jack Childers	*Mr. Edward Clark
*Mr. John E. Ingraham	*Mr. Robert Clodfelter
*Mr. Thomas L. Norris	Mr. Daniel T. Lilley
*Mr. William J. Reese, Jr.	*Mr. Richard E. Thigpen, Jr.

Sea World—SJR 104

Senator Charles Vickery (Co-chm)	Mr. Richard Wright (Co-chm)
Senator Jerry Popkin	Ms. Wilda Hurst
Senator W. G. Smith	Ms. Mary Seymour

*Not a member of the General Assembly

President Pro Tempore *Speaker*

LEGISLATIVE RESEARCH COMMISSION—COMMITTEES (continued)

Water Resources—HJR 1409

Senator W. G. Smith (Co-chm)
Senator George W. Marion, Jr.
*Hon. William D. Mills
Mr. Vernon G. James (Co-chm)
Mr. Worth Gentry
Mr. Robie L. Nash

DRUG COMMISSION, NORTH CAROLINA

(G. S. 143B-378) (Term expires June 30, 1979)

Senator Ollie Harris
Dr. John Varner

JUDICIAL NOMINATING COMMITTEE FOR SUPERIOR COURT JUDGES

(Executive Order No. 12)

*Mr. Carl C. Campbell
*Mr. William P. Mayo
*Dr. Stephen B. Thomas
*Mr. Lynn B. Hollowell, Jr.
*Dr. W. Clay Church
*Mr. Patrick U. Smathers

PRIVATE PROTECTIVE SERVICES BOARD

(G. S. 74B-4) (Term expires September 29, 1981)

*Mr. Robert Scott Davis
*Mr. Ralph Brown
*Mr. Clarence Short

RULES OF THE GENERAL ASSEMBLY

(SJR 879) (Res. 78/1977 Session Laws) (Special Interim Joint Committee)

Mr. Allen Adams (Co-chm)
Mr. Charles Holt
Mr. Robert A. Jones

*Not a member of the General Assembly

President Pro Tempore	*Speaker*

NATIONAL CONFERENCE OF STATE LEGISLATURES STANDING COMMITTEES

(Term expires January, 1979)

Ethics and Elections
Senator E. Lawrence Davis

Legislative Improvement and Modernization
Senator Craig Lawing

Legislative Information Needs
Senator Katherine H. Sebo

Professional Development
Senator Henson P. Barnes

State Federal Assembly: (Subcommittees)

Criminal Justice and Consumer Affairs—	
Senator Robert W. Wynne	Mr. John Ed. Davenport
Senator I. Beverly Lake, Jr.	
Education—	
Senator D. Livingstone Stallings	Mr. Casper Holroyd
Energy—	
Senator Jack Childers	Mr. Hartwell Campbell
Government Operations—	
Senator Russell Walker	Mr. Roberts H. Jernigan
Human Resources—	
Senator Ollie Harris	Ms. Joy Johnson
Senator Carolyn Mathis	
Natural Resources—	
Senator James D. Speed	Mr. Dan Hall, Jr.
Rural Development—	
Senator Melvin R. Daniels, Jr.	Mr. Roy Taylor
Transportation—	
Senator Joseph J. Harrington	Mr. David Bumgardner
Urban Development—	
Senator Carl D. Totherow	Mr. Fletcher Harris

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Pursuant to the restrictions of Senate Joint Resolution 915, certain bills and resolutions remaining in committee have not received final consideration.

Abbreviations used are explained as follows:

Favorable Report ..... fav rpt
Unfavorable Report ..... unf rpt
Postponed Indefinitely ..... ppi
Committees:
- Agriculture ..... Agric.
- Alcoholic Beverage Control ..... ABC
- Appropriations ..... Appr.
- Banking ..... Banking
- Base Budget ..... Base Budget
- Constitutional Amendments ..... Const.
- Courts and Judicial Districts ..... C&JD
- Criminal Justice ..... Criminal Justice
- Economy ..... Economy
- Education ..... Ed.
- Election Laws ..... Elec.
- Finance ..... Fin.
- Insurance ..... Insur.
- Higher Education ..... H.Ed.
- Human Resources ..... Hum. Res.
- Judiciary I ..... JI
- Judiciary II ..... JII
- Law Enforcement and Crime Control ..... Law. Enf.
- Local Government and Regional Affairs ..... Loc. Gov.
- Manufacturing, Labor and Commerce ..... ML&C
- Natural and Economic Resources ..... N&ER
- Public Utilities and Energy ..... Util.
- Rules and Operation of the Senate ..... Rules
- State Government ..... St. Gov.
- Transportation ..... Trans.
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Lake, I. Beverly, Jr. ..... Harnett, Lee, Wake—14th District
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S 89 (Ch. 1099) ..... 81, 131, 335, 347, 358, 375, 1000, 1026.
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H 1254 (Ch. 774) ..... 801, 854, 878, 895, 915.
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S 453 (Ch. 914) ..... 306, 589, 592, 607, 618, 925, 974, 1028.
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S 334 (Ch. 712) ..... 261, 408, 413, 430, 468, 595, 607, 819, 840, 866.
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S 334 (Ch. 712) ..... 261, 408, 413, 430, 468, 595, 607, 819, 840, 866.
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H 617 (Res. 45) ..... 364, 408, 432, 443.
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H 1097 (Ch. 534) ..... 630, 677, 698, 728.
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S 884 (H 1517) (Appr. Com.) ..... 749.
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H 1005 (Ch. 570) ..... 617, 715, 739, 758.
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S 67 (Ch. 148) ..... 58, 61, 111, 116, 278.
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S 853 (unf rpt) ..... 706, 814.
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S 854 (ppi) ..... 706, 762.
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S 59 (Ch. 931) ..... 52, 55, 77, 78, 83, 945, 970, 1026.
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Senator John W. Winters
Senator Robert W. Wynne
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H 524 (Ch. 204) ..... 307, 328, 341, 353.
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H 223 (Ch. 88) ..... 126, 163, 192, 196.
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Lenoir County—District 5—Senator Harold W. Hardison
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S 733 (Ch. 598) ..... 565, 624, 632, 662, 777.
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Senator Helen Rhyne Marvin
Senator Marshall A. Rauch
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H 1051 (Ch. 618) ..... 612, 747, 773, 809.
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Senator Vernon E. White
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McDowell County—District 26—Senator I. C. Crawford
Senator Robert S. Swain
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H 573 (Ch. 491) ..... 576, 624, 644, 650, 657, 658, 685.
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Mecklenburg County—District 22—Senator Fred D. Alexander
Senator Craig W. Lawing
Senator James D. McDuffie
Senator Carolyn Mathis
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H 573 (Ch. 491) ..... 576, 624, 644, 650, 657, 658, 685.
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H 653 (Ch. 891) ..... 419, 532, 961, 982, 1035.
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S 876 (ppi) ..... 749, 815, 853, 874.
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S 733 (Ch. 598) ..... 565, 624, 632, 662, 777.
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S 541 (ppi) ..... 363, 797.
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